

AMP

P.O. Box 3608
Harrisburg, PA 17105-3608
Phone: 717-564-0100
TWX: 510-657-4110

Bob Jones
Larry
Sheila
Bensen Klingler
Director, Environmental Programs
Mail Stop 081-001
Direct Dial: 717-558-5805
Fax: 717-558-5801

AMP Incorporated

November 1, 1991

Bruce P. Smith, Associate Director
Office of RCRA Programs
Hazardous Waste Management Division
US Environmental Protection Agency
841 Chestnut Building
Philadelphia, PA 19107

Re: AMP Incorporated
Harrisonburg, Virginia, Plant

Dear Mr. Smith:

This letter is sent pursuant to a Compliance Order issued to AMP Incorporated dated September 30, 1991.

Pursuant to paragraph 6 of the Compliance Order, AMP hereby notifies EPA that AMP does not intend to submit an application for a permit to store hazardous waste at its Harrisonburg, Virginia, plant.

AMP intends to take the following measures to comply with the Virginia regulations governing storage of hazardous waste:

- a. AMP has made several personnel changes since learning of these violations following the inspection by the Virginia Department of Waste Management ("VDWM") in November 1990. First, the plant manager has been relieved of his duties and a new one brought in to take his place. Additionally, an environmental coordinator has been assigned to fill a position which was vacant for a period of time. These personnel are very much aware of the importance of compliance with the environmental requirements.
- b. The new environmental coordinator, along with plant management and with the support of division management and the Environmental Programs Department in Harrisburg, have already implemented and are developing new plant procedures regarding storage and handling of hazardous wastes at the plant. These new procedures include controlled access to hazardous waste storage areas, improved accumulation procedures and other matters.
- c. Existing procedures in AMP's Environmental Specifications will be closely followed. These include weekly inspections of storage areas, completion of waste inventory logs, communication procedures between the AMP Environmental Programs Department ("EPD") and the plant regarding waste inventory and new waste streams, and procedures for labeling and accumulating hazardous wastes.

Bruce P. Smith, Associate Director
November 1, 1991
Page 2 of 2

- d. Staff in EPD will closely monitor the waste inventory at the Harrisonburg plant. Additionally, EPD is investigating consolidation of disposal vendors to facilitate timely removal of the wastes from the plant.
- e. AMP is developing a company-wide computer tracking/inventory system to monitor accumulation of wastes at all of its plants. This system is scheduled to be operational by January/February 1992. This system will greatly enhance AMP's tracking of waste accumulation at Harrisonburg and elsewhere.


Although AMP is contesting the F007 issue in Counts I and II of the Complaint and Compliance Order, AMP is complying with paragraphs 1-3 of the Compliance Order, and will designate the tin/lead filters as F007 prospectively, pending resolution of that issue. Nothing herein shall be construed as an admission by AMP of any allegation in the Complaint and Compliance Order.

If you have any questions or comments, please feel free to contact me.

Sincerely,



Bensen Klingler
Director
Environmental Programs Department

cc: D. Brennan 
J. Gurski
C. Jamieson (EPA-Office of Regional Counsel-3RC31)
D. Kortze
S. Leiphart
L. Miller
C. Ritter
R. Smith
B. Wescott
P. Worker

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AMP

Douglas F. Brennan
Environmental Counsel
Mail Stop 081-001
Direct Dial: 717-558-5863
Fax: 717-558-5801

AMP Incorporated

BY FEDERAL EXPRESS

November 1, 1991

Regional Hearing Clerk (3RC00)
EPA Region III
841 Chestnut Building
Philadelphia, PA 19107

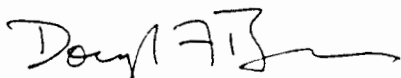
Re: RCRA Complaint, Compliance Order,
and Notice of Opportunity for Hearing
EPA Docket No. RCRA-III-232

Dear Sir:

Please find enclosed for filing an original and two copies of the Answer of AMP Incorporated to EPA Complaint and Compliance Order for the above-referenced matter. Kindly return a date-stamped copy in the enclosed self-addressed envelope.

Thank you for your attention to this matter.

Sincerely,



Douglas F. Brennan
Environmental Counsel

DFB/jr

Enclosure

BR\HRGCLRK

BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III

In Re:)	Docket No. RCRA-III-232
)	
AMP Incorporated)	Complaint, Compliance
1175 N. Main Street)	Order, and Notice of
Harrisonburg, Virginia 22801)	Opportunity for Hearing
EPA I.D. No. VAD098444474)	

RESPONDENT

ANSWER OF AMP INCORPORATED
TO EPA COMPLAINT AND COMPLIANCE ORDER

I. INTRODUCTION

The Introduction to EPA's Complaint, Compliance Order, and Notice of Opportunity for Hearing (hereinafter "Complaint") contains a preliminary statement, including various conclusions of law, to which no response is required. To the extent a response is required, AMP Incorporated (hereinafter "AMP") denies the allegations contained therein, with the exception of the location of AMP. AMP admits that it has a plant in Harrisonburg, Virginia.

The numbered paragraphs in Section II of this Answer below correspond to the numbered paragraphs in Section II of the Complaint.

II. COMPLAINT - FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Paragraph 1 of the Complaint is admitted as stated.
2. Admitted as stated.

3. Paragraph 3 is admitted in part. It is admitted that AMP submitted a Notification of Hazardous Waste Activity to EPA on October 28, 1983. AMP further alleges that with respect to the F007 hazardous waste number, such hazardous waste number referred to the gold/cyanide plating bath solution. The remaining allegations in paragraph 3 state only conclusions of law, to which no response is required.
4. AMP is without knowledge or information sufficient to form a belief as to whether EPA acknowledged AMP's notification allegedly sent in October 1983. AMP admits that EPA assigned the AMP Harrisonburg plant an identification number as stated.
5. Admitted as stated.
6. Admitted as stated.
7. Paragraph 7 of the Complaint contains only conclusions of law, to which no response is required.
8. Paragraph 8 of the Complaint contains only conclusions of law, to which no response is required.
9. AMP admits that representatives of VDWM conducted an inspection of the AMP Harrisonburg facility on November 28, 1990. AMP is without knowledge or information sufficient to form a belief as to the truth

of the remaining allegations in paragraph 9. To the extent a response is deemed to be required, AMP denies the remaining allegations in Paragraph 9.

COUNT I

10. AMP re-alleges its responses to paragraphs 1 through 9 of the Complaint and incorporates them herein by reference.
11. Paragraph 11 of the Complaint contains only conclusions of law, to which no response is required.
12. Admitted in part and denied in part. AMP admits that the facility was generating hazardous waste having the EPA hazardous waste number D008 at the time of the November 28, 1990, inspection by VDWM. AMP denies that such wastes have an EPA hazardous waste number of F007. The remaining allegations in paragraph 12 contain only conclusions of law, to which no response is required. If a response is deemed to be required, AMP denies those remaining allegations. AMP further alleges, by way of explanation, the following with respect to whether the waste should be classified as F007, as well as D008:
 - a. AMP conducts electroplating operations at the Harrisonburg facility. These electroplating operations are performed on the copper and copper alloy strip in a continuous plating operation. The copper metal strip goes through a number of plating steps.

These steps are indicated in the diagram attached as Exhibit A.

b. The gold plating bath shown in Exhibit A includes potassium gold cyanide. Only the bottom portion of the metal strip, the "tip" as indicated in Exhibit A, is immersed in the plating bath (step 1). Following immersion in the gold plating bath, air wipes are used to reduce drag-out. Then the metal strip is subjected to its first rinse (step 2). The rinse water used in this rinse is closed loop using electrodialysis. Air wipes are used after the closed loop electrodialysis rinse to reduce dragout. Potassium gold cyanide is recovered from this rinse and added back to the gold plating bath.

c. Following the first rinse/air wipe is a two-stage counter current rinse using deionized water (steps 3 and 4). In the first stage, step 3, overflow deionized water rinse from step 4 is applied to the metal strip. Overflow water from the rinse bath is sent to an ion exchange resin column for gold recovery, and after that the water is treated by the on-site wastewater treatment system. The spent resin is shipped off-site for gold recovery. In the second stage, step 4, a deionized water rinse is applied to the strip. Air wipes are used following each of these two stages.

d. At this point in the process, the strip has been partially gold plated. The strip is then twisted 180 degrees for plating on the other portion of the metal strip. This plating operation

involves tin/lead plating. Only the bottom portion of the metal strip is immersed in the tin/lead plating bath. That portion of the strip was not immersed in the gold cyanide plating solution discussed above. The tin/lead plating operation is conducted from a tin/lead fluoboric acid or a methanesulfonic acid plating solution which does not contain cyanide. The tin/lead solution is highly acidic, so that even if any cyanide remained on the strip following the rinses and air wipes described in sub-paragraph c above, the cyanide would react with the solution to form hydrogen cyanide gas and therefore there would be no cyanide in the tin/lead bath.

e. As part of the plating bath operation, the tin/lead solution is filtered using cartridge filters. The discarded cartridges from the tin/lead plating operation have been previously managed as a hazardous waste with the EPA hazardous waste number D008. Based upon the process as described above, with the multiple rinses and air wipes, as well as the twisting of the strip after gold plating and prior to tin/lead plating, AMP alleges that any wastewaters from the tin/lead plating operation would not be in any way contaminated with cyanide, and therefore would not be an F007 waste. Although the plating line as a whole includes the use of cyanides, AMP's knowledge of the process indicates that it is virtually impossible for cyanides to be present on the strip when the strip enters the tin/lead baths.

f. Furthermore, AMP's knowledge as described above used to make

the D008 classification, is supported by other aspects of the regulations governing hazardous wastes, including 40 CFR Section 261.7 (i.e., empty drums which contained hazardous waste are not hazardous waste if the residue meets certain requirements or if the container has been triple rinsed).

13. Admitted as stated.
14. Admitted in part and denied in part. AMP admits that the shipments described in paragraph 13 of EPA's Complaint were classified by AMP as having EPA hazardous waste number D008 and were actually wastes having the EPA hazardous waste number D008. AMP denies the remaining allegations in paragraph 14.
15. Admitted as stated.
16. AMP did determine that the waste shipped off site on the dates, and for the shipments, noted in paragraph 13 of EPA's Complaint, were wastes having the hazardous waste number D008. AMP denies that wastes having an EPA hazardous waste number D008 were prohibited from land disposal effective July 8, 1989. In fact, D008 wastes were prohibited from land disposal effective August 8, 1990. AMP denies the remaining allegations in Paragraph 16.
17. Denied. AMP further alleges that it did use its knowledge of the waste, namely the tin/lead filters, to determine that the wastes had

the hazardous waste number D008, and did not have the number F007 or any other designation. The knowledge AMP used is, inter alia, described herein in paragraph 12. The remaining allegations in paragraph 17 contain only conclusions of law, to which no response is required. If a response is deemed to be required, AMP denies the remaining allegations of paragraph 17.

Count II

18. AMP re-alleges its responses to paragraphs 1 through 17 of the Complaint and incorporates them herein by reference.
19. The allegations in paragraph 19 of the Complaint contain only conclusions of law, to which no response is required.
20. Admitted in part and denied in part. It is denied that the wastes identified in paragraph 20 of the Complaint were F007 wastes for reasons provided in paragraph 12 herein. The remaining allegations in paragraph 20 of the Complaint are admitted as stated.
21. Admitted as stated.
22. Admitted as stated.
23. Admitted in part and denied in part. It is admitted that AMP's waste shipments described in paragraph 20 were actually hazardous

waste having the EPA hazardous waste number D008. It is denied that such wastes have the EPA hazardous waste number F007, for the reasons provided in paragraph 12 herein.

24. Admitted as stated. AMP further alleges that it was not required to submit a written LDR notification including land disposal restriction treatment standards for EPA hazardous waste number F007, because, based upon its knowledge, the tin/lead filters were not F007 wastes (spent cyanide plating bath solutions from electroplating operations).
25. The allegations contained in paragraph 25 of the Complaint contain only conclusions of law, to which no response is required. If a response deemed to be required, AMP denies the allegations of paragraph 25.
26. The allegations contained in paragraph 26 of the Complaint contain only conclusions of law, to which no response is required. If a response deemed to be required, AMP denies the allegations of paragraph 26.

COUNT III

27. AMP re-alleges its responses to paragraphs 1 through 26 of the Complaint and incorporates them herein by reference.

28. The allegations in paragraph 28 contain only conclusions of law, to which no response is required.
29. The allegations in paragraph 29 contain only conclusions of law, to which no response is required.
30. Admitted in part and denied in part. It is denied that AMP determined that the F006 waste referred to in paragraph 30 "could be land disposed without further treatment." The remaining allegations in paragraph 30 are admitted.
31. Admitted.
32. Admitted.
33. The allegations in paragraph 33 of the Complaint contain only conclusions of law, to which no response is required.

COUNT IV

34. AMP re-alleges its responses to paragraphs 1 through 33 of the Complaint and incorporates them herein by reference.
35. The allegations in paragraph 35 contain only conclusions of law, to which no response is required.

36. Admitted.

37. Admitted.

38. The allegations in paragraph 38 of the Complaint contain only conclusions of law, to which no response is required.

COUNT V

39. AMP re-alleges its responses to paragraphs 1 through 38 of the Complaint and incorporates them herein by reference.

40. Admitted.

41. The allegations in paragraph 41 contain only conclusions of law, to which no response is required. AMP further alleges that the companion section to 40 CFR Section 262.34(b) in the Virginia regulations are at VHWMR Section 6.4.E, not Section 6.05.05(b).

42. The allegations in paragraph 42 contain only conclusions of law, to which no response is required.

43. The allegations in paragraph 43 contain only conclusions of law, to which no response is required. AMP further alleges that the companion section to 40 CFR Section 270.1(c)(2)(i) in the Virginia regulations are at VHWMR Section 11.1, not Section 11.01.02.

44. Admitted.

45. Admitted.

46. Admitted.

47. Admitted.

48. Admitted.

49. The allegations contained in paragraph 49 of the Complaint contain only conclusions of law, to which no response is required.

III. Compliance Order

1. The requirement in paragraph 1 of the Compliance Order, to perform waste analyses within 15 days following receipt of the Complaint, is arbitrary and capricious, and an abuse of discretion by EPA. The analysis required under paragraph 1 requires sampling, proper preparation of forms, shipping to the laboratory, and lab analysis, which is difficult if not virtually impossible to perform within the 15-day period following receipt of the Complaint and Compliance Order by AMP from EPA.

AMP further alleges that it is arbitrary and capricious, an abuse of discretion, and contrary to law for EPA to require AMP to perform

the waste analyses under 40 CFR Section 268.7(a) when, based upon AMP's knowledge as described in paragraph 12 above, it is clear that the tin/lead filters are not F007 waste, but are in fact D008 waste as previously indicated herein.

2. It is arbitrary and capricious, an abuse of discretion, and contrary to law for EPA to require AMP to submit the written notifications and/or certifications described in paragraph 2 of the Compliance Order, because AMP has already submitted the appropriate notifications as required by 40 CFR Section 268.7(a).
3. It is arbitrary and capricious, an abuse of discretion, and contrary to law for EPA to require AMP to submit the written notifications and/or certifications described in paragraph 3 of the Compliance Order, because AMP has already submitted the appropriate notifications as required by 40 CFR Section 268.7(a).
4. AMP reserves its right to amend this Answer upon discovery of new information.

IV. Civil Penalty Assessment

1. It is arbitrary and capricious, an abuse of discretion and contrary to law for EPA to assess the penalties in Counts I and II, because AMP properly indicated the correct hazardous waste numbers on its shipments indicated in paragraphs 13 and 20 of the EPA Complaint.

As explained further in this Answer, AMP properly used its knowledge of the waste involved in the plating line process to determine that the tin/lead filters were D008, and not F007, wastes.

2. AMP reserves its rights to further explain this situation, and to amend its Answer, upon the discovery of new information relevant to this issue.
3. AMP also alleges that the penalty amounts assessed for Counts I and II are arbitrary and capricious, an abuse of discretion and contrary to law in that they are contrary to the EPA RCRA Civil Penalty Policy.

V. Opportunity to Request a Hearing

AMP hereby requests a hearing to contest the matters of law and material facts which were not admitted above, and which were set forth in the Complaint and Compliance Order. AMP further requests a hearing to contest the appropriateness of the assessed penalty for Counts I and II of the Civil Penalty Assessment in the Complaint and Compliance Order.

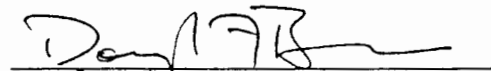
VI. Settlement Conference

As previously discussed with Ms. Cheryl Jamieson, Office of Regional Counsel, AMP wishes to participate in an informal settlement conference regarding these matters, and one has been tentatively scheduled for

November 13. AMP has previously submitted information to EPA by copy of letter to James Saunders, dated October 10, 1991. Additionally, AMP has provided EPA with copies of other correspondence related to the requirements of paragraphs 1-3 of the Compliance Order. Finally, AMP is submitting a letter to EPA in compliance with paragraph 6, a copy of which is attached hereto as Exhibit B.

Respectfully submitted,

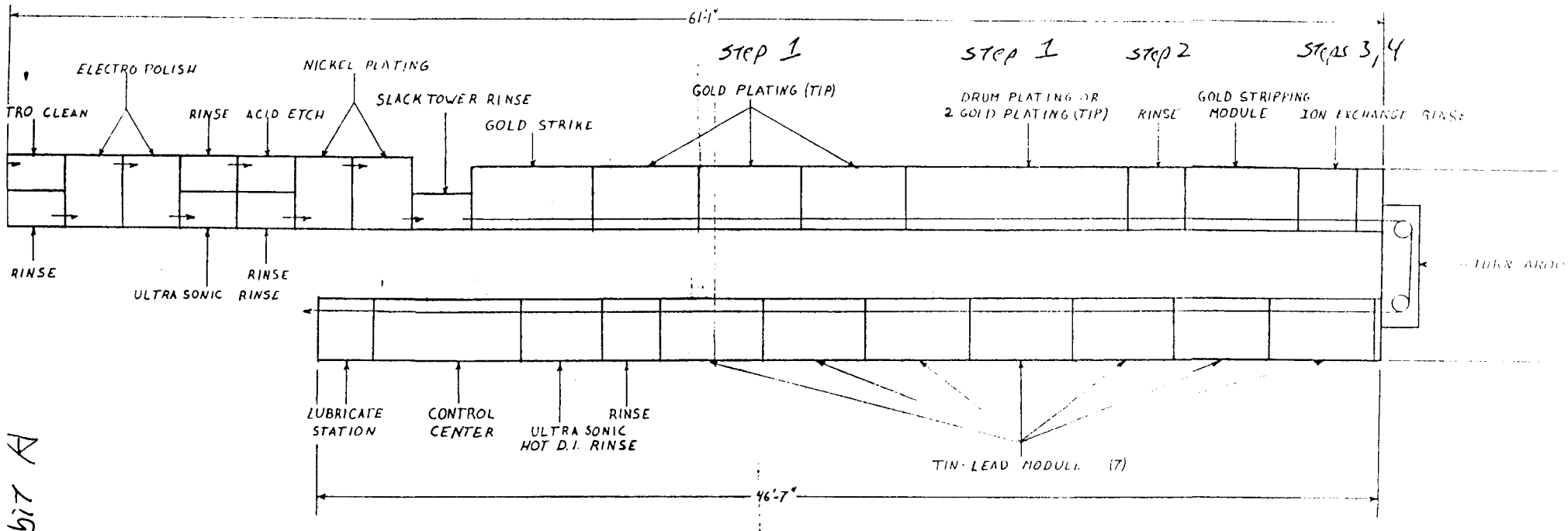
AMP Incorporated



Douglas F. Brennan
Environmental Counsel
AMP Incorporated
P.O. Box 3608 (M/S 81-01)
Harrisburg, PA 17105
Ph. (717) 558-5863

Date: Nov. 1, 1991

Exhibit A





AMP Incorporated

November 1, 1991

Bruce P. Smith, Associate Director
Office of RCRA Programs
Hazardous Waste Management Division
US Environmental Protection Agency
841 Chestnut Building
Philadelphia, PA 19107

Re: AMP Incorporated.
Harrisonburg, Virginia, Plant

Dear Mr. Smith:

This letter is sent pursuant to a Compliance Order issued to AMP Incorporated dated September 30, 1991.

Pursuant to paragraph 6 of the Compliance Order, AMP hereby notifies EPA that AMP does not intend to submit an application for a permit to store hazardous waste at its Harrisonburg, Virginia, plant.

AMP intends to take the following measures to comply with the Virginia regulations governing storage of hazardous waste:

- a. AMP has made several personnel changes since learning of these violations following the inspection by the Virginia Department of Waste Management ("VDWM") in November 1990. First, the plant manager has been relieved of his duties and a new one brought in to take his place. Additionally, an environmental coordinator has been assigned to fill a position which was vacant for a period of time. These personnel are very much aware of the importance of compliance with the environmental requirements.
- b. The new environmental coordinator, along with plant management and with the support of division management and the Environmental Programs Department in Harrisburg, have already implemented and are developing new plant procedures regarding storage and handling of hazardous wastes at the plant. These new procedures include controlled access to hazardous waste storage areas, improved accumulation procedures and other matters.
- c. Existing procedures in AMP's Environmental Specifications will be closely followed. These include weekly inspections of storage areas, completion of waste inventory logs, communication procedures between the AMP Environmental Programs Department ("EPD") and the plant regarding waste inventory and new waste streams, and procedures for labeling and accumulating hazardous wastes.

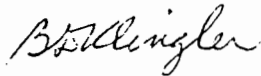
Bruce P. Smith, Associate Director
November 1, 1991
Page 2 of 2

- d. Staff in EPD will closely monitor the waste inventory at the Harrisonburg plant. Additionally, EPD is investigating consolidation of disposal vendors to facilitate timely removal of the wastes from the plant.
- e. AMP is developing a company-wide computer tracking/inventory system to monitor accumulation of wastes at all of its plants. This system is scheduled to be operational by January/February 1992. This system will greatly enhance AMP's tracking of waste accumulation at Harrisonburg and elsewhere.

Although AMP is contesting the F007 issue in Counts I and II of the Complaint and Compliance Order, AMP is complying with paragraphs 1-3 of the Compliance Order, and will designate the tin/lead filters as F007 prospectively, pending resolution of that issue. Nothing herein shall be construed as an admission by AMP of any allegation in the Complaint and Compliance Order.

If you have any questions or comments, please feel free to contact me.

Sincerely,



Bensen Klingler
Director
Environmental Programs Department

cc: D. Brennan DAB
J. Gurski
C. Jamieson (EPA-Office of Regional Counsel-3RC31)
D. Kortze
S. Leiphart
L. Miller
C. Ritter
R. Smith
B. Wescott
P. Worker

COMMONWEALTH OF PENNSYLVANIA

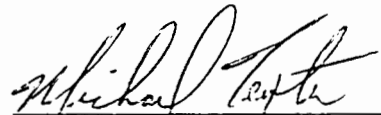
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COUNTY OF DAUPHIN

AFFIDAVIT

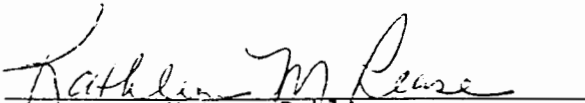
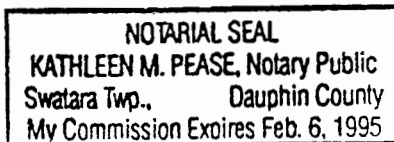
Michael Texter, Manager of Compliance, AMP Incorporated, being duly sworn, deposes and says that he is authorized to make this verification on behalf of AMP Incorporated and that the averments of facts set forth in the foregoing Answer to the Complaint, Compliance Order, and Notice of Opportunity for Hearing are true and correct to the best of his knowledge, information, and belief.



Michael Texter
Manager, Environmental Compliance
AMP Incorporated
P.O. Box 3608 (M/S 81-01)
Harrisburg, PA 17105

Sworn to and subscribed before me

this 1st day of NOVEMBER, 1991

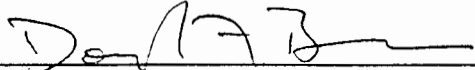

Notary Public

BR\EPAANSER

CERTIFICATE OF SERVICE

I hereby certify that on November 1, 1991, a true and correct copy of the foregoing Answer of AMP Incorporated to EPA Complaint and Compliance Order was served upon the counsel for EPA by means of United States Mail, First Class postage prepaid, addressed as follows:

Cheryl Jamieson, Esq. (3RC31)
Office of Regional Counsel
U.S. Environmental Protection Agency
841 Chestnut Building
Philadelphia, PA 19103



Douglas F. Brennan
Environmental Counsel

Date: Nov 1, 1991



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building

Philadelphia, Pennsylvania 19107

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SEP 30 1991

Mr. Benson Klingler, Director
Environmental Programs Department
AMP Incorporated
P.O. Box 3608, Mail Stop 81-01
Harrisonburg, Virginia 17105-3608

Re: Resource Conservation and Recovery Act
Complaint, Compliance Order and Notice
of Opportunity for Hearing
Docket No. RCRA-III-232

Dear Mr. Klinger:

Enclosed please find a Complaint, Compliance Order and Notice of Opportunity for Hearing ("Complaint") concerning alleged violations of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. Sections 6901 et seq.

The Complaint should be read and analyzed carefully to determine the alternatives available to you in responding to the alleged violations and proposed penalties.

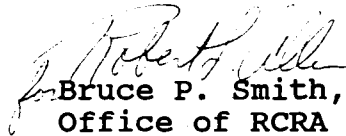
Any Answer to the Complaint must be filed with the Regional Hearing Clerk within thirty (30) days of receipt of the Complaint. The Answer must respond specifically to the allegations in the Complaint. Failure to respond to this Complaint by specific Answer will constitute an admission of the allegations made in the Complaint. Failure to file an Answer may also result in the filing of a Motion for Default Order and the possible issuance of a Default Order imposing the penalties proposed in the Complaint without further proceedings.

You may request a hearing to contest any matter set forth in the Complaint. Such request must be included in your Answer to the Complaint. Whether or not a hearing is requested, you may request an informal settlement conference to discuss resolution of this case. However, a request for an informal settlement conference does not relieve you of the responsibility to file an Answer as specified herein. A request for a settlement conference may be included in your Answer or you may contact the staff attorney assigned to this case:

Ms. Cheryl Jamieson (3RC31)
Office of Regional Counsel
U.S. Environmental Protection Agency
Region III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

Ms. Jamieson can be reached by telephone at (215) 597-5499.

Sincerely,



Bruce P. Smith, Associate Director
Office of RCRA Programs
Hazardous Waste Management Division

Enclosure

cc: C. Jamieson (3RC31)
S. Canning (3RC00)
B. Small (OS-520)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SEP 30 1991

Mr. William Gilley, Director
Division of Regulation
Department of Waste Management
Monroe Building, 11th Floor
101 North 14th Street
Richmond, VA 23219

**Re: AMP Incorporated
Resource Conservation and Recovery Act
Complaint, Compliance Order and Notice
of Opportunity for Hearing
Docket No. RCRA-III-232**

Dear Mr. Gilley:

Enclosed is a copy of the Complaint, Compliance Order and Notice of Opportunity for Hearing ("Complaint") issued this day by the U.S. Environmental Protection Agency ("EPA"), Region III to AMP Incorporated. The AMP Incorporated is located in Harrisonburg, Virginia.

This Complaint is being issued pursuant to Section 3008(a)(1) of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. Section 6928(a)(1). Prior notice of EPA's intention to issue this Complaint was provided to the Commonwealth of Virginia in accordance with Section 3008(a)(2) of RCRA, 42 U.S.C. Section 6928(a)(2).

We appreciate your support and cooperation in this enforcement action.

Sincerely,

Bruce P. Smith, Associate Director
Office of Hazardous Programs
Hazardous Waste Management Division

Enclosure

cc: B. Small (OS-520)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

SUBJECT: AMP Incorporated
Complaint, Compliance Order and
Notice of Opportunity for Hearing
Docket No. RCRA-III-232

FROM: Sheila A. Briggs
State Enforcement Section (3HW62) *Sf 1/26/91*

TO: Bruce P. Smith, Associate Director
Office of RCRA Programs (3HW03)

THROUGH: Lawrence Falkin, Chief *Lf 9/26* *+ TLR 57L*
State Enforcement Section (3HW62)

Robert E. Greaves, Chief *RG 9/26*
RCRA Enforcement/UST Branch (3HW60)

The enclosed document is the following: An Administrative 3008(a) Complaint involving violations by AMP Incorporated at its facility located in Harrisonburg, Virginia.

The purpose of this document is: The Complaint will notify the company that it has violated Subtitle C of RCRA as amended by HSWA, will propose a penalty of \$60,650, and will outline the actions necessary for the facilities to maintain compliance with RCRA regulations.

This action will accomplish the following: The facility will achieve compliance with the appropriate RCRA regulations.

Potential positive and negative effects of this document: The Complaint will notify the company that compliance with the RCRA regulations is actively enforced by EPA and that penalties will be assessed for violations to these provisions. No negative effects are expected.

Coordination efforts included the following: The Virginia Department of Waste Management; Office of Regional Counsel; and Office of Public Affairs.

Recommendations and conclusions: Sign the enclosed Complaint.

If you have any questions or comments, contact Sheila Briggs at x8338.

BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III

In Re:)	Docket No. RCRA-III-232
)	
AMP, Inc.)	Complaint, Compliance
1175 N. Main Street)	Order and Notice of
Harrisonburg, Virginia 22801)	Opportunity for Hearing
EPA I.D. No. VAD098444474)	

RESPONDENT

I. INTRODUCTION

This Complaint, Compliance Order and Notice of Opportunity for Hearing ("Complaint") is filed pursuant to Section 3008(a) and (g) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. Section 6928(a) and (g), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22. The Complainant is the Associate Director, Office of RCRA Programs, Hazardous Waste Management Division, United States Environmental Protection Agency, Region III ("EPA"). Respondent is AMP, Incorporated, located in Harrisonburg, Virginia ("Respondent").

Section 3008(a) of RCRA authorizes EPA to take enforcement action whenever it is determined that a person is in violation of any requirement of RCRA, EPA's regulations thereunder, or any regulation of a state hazardous waste program which has been authorized by EPA. Section 3008(g) of RCRA authorizes the assessment of a civil penalty against any person who violates any requirement of Subtitle C of RCRA, 42 U.S.C. Sections 6921-6939(a).

Complainant is issuing this complaint to the Respondent on the basis of correspondence with the Respondent, a Virginia Department of Waste Management ("VDWM") inspection conducted on November 28, 1990, and other information which demonstrates that the Respondent has violated or is in violation of one or more requirements of Subtitle C of RCRA and the regulations promulgated thereunder.

On December 18, 1984, pursuant to Section 3006(b) of RCRA, 42 U.S.C. Section 6926(b), and 40 C.F.R. Part 271, Subpart A, the Commonwealth of Virginia ("Virginia") was granted final authorization to administer a state hazardous waste management program in lieu of the federal hazardous waste management program established under Subtitle C of RCRA, 42 U.S.C. Sections 6921-6939b. The provisions of the Virginia hazardous waste management program, through this final authorization, have become requirements of Subtitle C of RCRA and are, accordingly,

enforceable by EPA pursuant to Section 3008(a) and (g) of RCRA, 42 U.S.C. Section 6928(a) and (g).

Virginia has not been granted authorization to administer its hazardous waste management program in lieu of certain provisions of the Hazardous and Solid Waste Amendments ("HSWA") enacted on November 8, 1984 (Pub. Law No. 98-616), which amended Subtitle C of RCRA. These provisions are enforceable in Virginia exclusively by EPA. To the extent that factual allegations or legal conclusions set forth in the Complaint are based on provisions of Virginia's hazardous waste management program authorized in 1984, Virginia's authorized regulations, Virginia Hazardous Waste Management Regulations ("VHWMR") are cited as authority for such allegations or conclusions. Any analogous provisions of the Federal hazardous waste management program under Subtitle C of RCRA are cited thereafter in parentheses. Factual allegations or legal conclusions based solely on provisions of the federal hazardous waste management program added or amended by HSWA cite only those federal provisions as authority for such allegations or conclusions.

Respondent is hereby notified of EPA's determination that it has violated Subtitle C of RCRA, 42 U.S.C. Sections 6921-6939b, and regulations thereunder at 40 C.F.R. Parts 260-270.

EPA has given the Commonwealth of Virginia through the VDWM prior notice of the issuance of this Complaint in accordance with Section 3008(a)(2) of RCRA, 42 U.S.C. Section 6928(a)(2).

II. COMPLAINT

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is a corporation doing business in the Commonwealth of Virginia and is a "person" as defined in Section 2.134 of the VHWMR (40 C.F.R. Section 260.10).
2. Respondent owns and operates a business located on 1175 N. Main Street, Harrisonburg, Virginia ("the Facility"). As part of this business, Respondent conducts electroplating operations.
3. On October 28, 1983, Respondent submitted a Notification of Hazardous Waste Activity ("Notification") to EPA pursuant to Section 3010(a) of RCRA, 42 U.S.C. Section 6930(a). In the Notification, Respondent indicated that it generated, treated, stored, and disposed of hazardous wastes having the hazardous waste numbers F001, F006, F007, F008, and F009. Each of these wastes is a "hazardous waste" as that term is defined in VHWMR Section 2.80 and Appendix 3.1 of Section 3.00 (40 C.F.R. Sections 260.10, 261.3, and 261.31).

4. EPA acknowledged Respondent's Notification and assigned Respondent the EPA identification number VAD 09 844 4474.

5. On October 24, 1983, Respondent submitted an incomplete Part A permit application ("Part A") to EPA. Respondent did not sign the Part A and stated, "it is very probable that this AMP facility will have ...waste removed from on-site before the 90 day storage period." The Part A was not signed by a principal corporate officer as required pursuant to VHWMR 11.07.01(a) (40 C.F.R. Section 270.11(b)).

6. Respondent did not submit a Part A permit application to treat, store or dispose of hazardous waste in accordance with VHWMR Section 11.02 (40 C.F.R. Section 270.10).

7. Respondent is not an "existing hazardous waste management facility" as that term is defined in VHWMR Section 2.58 (40 C.F.R. Section 260.10) because Respondent's Facility was not in existence on November 19, 1980; failed to qualify for interim status in accordance with VHWMR Section 11.03.01 (40 C.F.R. Section 270.70(a)); and does not have a permit to operate a hazardous waste treatment, storage, or disposal facility in accordance with VHWMR Section 11.01 (Section 3005(a) of RCRA, 42 U.S.C. Section 6925(a) and 40 C.F.R. Section 270.1(b)).

8. Respondent is a "generator" as that term is defined in VHWMR Section 2.77 and 40 C.F.R. Section 260.10.

9. On November 28, 1990, representatives of the VDWM conducted an inspection of the Facility and observed a number of violations of the Federal and state hazardous waste management regulations.

COUNT I

10. The allegations of Paragraphs 1 through 9 of the Complaint are incorporated herein by reference.

11. 40 C.F.R. Section 268.7(a) provides that, except as specified in 40 C.F.R. Section 268.32 or 268.43 (which are not applicable to this case), a generator must test its waste or test an extract developed using the test method described in Appendix I of 40 C.F.R. Part 268, or use knowledge of the waste, to determine if the waste is restricted from land disposal under 40 C.F.R. Part 268.

12. At the time of the inspection referred to in paragraph 9, above, the Facility was generating hazardous waste having the EPA Hazardous Waste Nos. D008 and F007 which is described in VHWMR Sections 3.10 and Appendix 3.1 of Section 3.00 (40 C.F.R. Sections 261.24 and 261.31).

13. Respondent classified the hazardous wastes referred to in paragraph 12, above, as hazardous wastes having the EPA Hazardous Waste No. D008 on the following manifests associated with off-site shipments of the hazardous wastes:

MDC 0234948, shipped off-site on 7/27/89;
MDC 0234943, shipped off-site on 2/15/90; and
MDC 0235047, shipped off-site on 5/16/90.

14. At the time Respondent shipped off-site each shipment of hazardous waste described in paragraph 13, above, such hazardous wastes which were classified by Respondent as having the EPA Hazardous Waste No. D008 were actually wastes having the EPA Hazardous Waste Nos. D008 and F007.

15. Pursuant to 40 C.F.R. Section 268.34(c)(1), wastes having the EPA Hazardous Waste No. F007 were prohibited from land disposal effective July 8, 1989.

16. Respondent failed to determine that the wastes shipped off-site as D008 as described in paragraph 13, above, were wastes having the EPA Hazardous Waste Nos. D008 and F007 which were prohibited from land disposal effective July 8, 1989.

17. Respondent violated 40 C.F.R. Section 268.7(a) by failing to test its waste, or test an extract developed using the test method described in Appendix I of 40 C.F.R. Part 268, or use its knowledge of the waste to determine if its waste having the EPA Hazardous Waste Nos. D008 and F007 is restricted from land disposal pursuant to 40 C.F.R. Part 268.

Count II

18. The allegations of Paragraphs 1 through 19 of the Complaint are incorporated herein by reference.

19. 40 C.F.R. Section 268.7(a)(1) provides that if a generator determines that it is managing a restricted waste under 40 C.F.R. Part 268 and the waste does not meet the applicable treatment standards set forth in Subpart D of that Part or exceeds the applicable prohibition levels set forth in 40 C.F.R. Section 268.32 or Section 3004(d) of RCRA, 42 U.S.C. Section 6924(d), then with each shipment of waste the generator must notify the treatment or storage facility in writing of the appropriate treatment standards set forth in 40 C.F.R. Part 268, Subpart D and any applicable prohibition levels set forth in 40 C.F.R. Section 268.32 or Section 3004(d) of RCRA (hereinafter "LDR notifications").

20. At the time of the inspection referred to in paragraph 9, above, Respondent had LDR notifications on-site for the following off-site shipments of D008 and F007 hazardous wastes referred to in paragraph 12, above:

MDC 0234830, shipped off-site on 4/19/91;
MDC 0234834, shipped off-site on 6/21/91; and
MDC 0234837, shipped off-site on 8/15/91.

21. Respondent determined that the wastes shipped with the manifests referred to in paragraph 20, above, were hazardous wastes having EPA Hazardous Waste No. D008. Pursuant to 40 C.F.R. Section 268.35(a), EPA Hazardous Waste No. D008 is prohibited from land disposal effective August 8, 1990.

22. Respondent provided each treatment, storage and/or disposal facility receiving any of the shipments of waste referred to in paragraph 20, above, with written LDR notifications stating that the wastes were restricted from land disposal under 40 C.F.R. Part 268 and provided the treatment standards for hazardous wastes having the hazardous waste number D008.

23. Respondent's waste shipments described in paragraph 20, above, were actually hazardous wastes having the EPA Hazardous Waste Nos. D008 and F007.

24. Respondent failed to provide each treatment, storage and/or disposal facility receiving any of the shipments of waste referred to in paragraphs 20, above, with written LDR notifications that included land disposal restriction treatment standards for EPA Hazardous Waste No. F007.

25. Respondent failed to notify each treatment, storage and/or disposal facility referred to in paragraphs 20 and 22, above, in writing of the appropriate treatment standards set forth in 40 C.F.R. Part 268, Subpart D or applicable prohibition levels set forth in 40 C.F.R. Section 268.32 or Section 3004(d) of RCRA in the LDR notifications described in paragraphs 20 and 22, above, as required by 40 C.F.R. Section 268.7(a)(1).

26. Respondent violated 40 C.F.R. Section 268.7(a)(1) by failing to notify each treatment and/or storage facility in writing of the appropriate treatment standards and any applicable prohibition levels for each LDR hazardous waste shipped off-site under the manifests referred to in paragraph 20, above, and accompanied by the LDR notifications referred to in paragraphs 20 and 22, above.

Count III

27. The allegations of Paragraphs 1 through 26 of the Complaint are incorporated herein by reference.

28. 40 C.F.R. Section 268.7(a)(1) provides that if a generator determines that it is managing a restricted waste under 40 C.F.R. Part 268 and the waste does not meet the applicable treatment standards set forth in 40 C.F.R. Part 268, Subpart D or exceeds the applicable prohibition levels set forth in 40 C.F.R. Section 268.32 or RCRA Section 3004(d), then with each shipment of waste, the generator must notify the treatment or storage facility receiving the waste of the appropriate treatment standards for the waste as set forth in 40 C.F.R. Part 268, Subpart D, and any applicable prohibition levels set forth in 40 C.F.R. Section 268.32 or RCRA Section 3004(d).

29. 40 C.F.R. Section 268.7(a)(2) provides that if a generator determines that it is managing a restricted waste under 40 C.F.R. Part 268 and determines that the waste can be land disposed without further treatment, then with each shipment of waste, the generator must submit to the treatment, storage or land disposal facility a notice and a certification stating that the waste meets the applicable treatment standards as set forth in 40 C.F.R. Section 268, Subpart D and applicable prohibition levels set forth in 40 C.F.R. Section 268.32 or RCRA Section 3004(d).

30. Respondent determined that the F006 waste generated by Respondent and shipped off-site on November 14, 1988 to WRC Processing Co. under manifest number PAB 5747125 was restricted from land disposal and that such wastes either did not meet the applicable treatment standards set forth in 40 C.F.R. Part 268, Subpart D, exceeded the applicable prohibition levels set forth in 40 C.F.R. Section 268.32 or RCRA Section 3004(d), or could be land disposed without further treatment.

31. Pursuant to 40 C.F.R. Section 268.33(a), wastes which are non-wastewaters having the EPA Hazardous Waste No. F006 were prohibited from land disposal effective August 8, 1988.

32. In an August 16, 1991 letter to Respondent, EPA requested, pursuant to Section 3007(a) of RCRA, that Respondent furnish copies of all certifications and/or written notifications which were required to be provided under 40 C.F.R. Section 268.7(a) to the treatment, storage or disposal facility by Respondent with all waste shipments after November 8, 1986. In response to EPA's request, Respondent did not provide EPA with written notifications and/or certifications for the off-site shipment referred to in paragraph 30, above.

33. Respondent violated 40 C.F.R. Section 268.7(a)(1) and/or (2) by failing to send the required written notification and/or

certification to the receiving treatment, storage or disposal facility for the off-site shipment of land disposal restricted wastes referred to in paragraph 30, above.

COUNT IV

34. The allegations of Paragraphs 1 through 33 of the Complaint are incorporated herein by reference.

35. 40 C.F.R. Section 268.7(a)(6) requires a generator to retain on-site a copy of all written notifications, certifications, and other documentation produced pursuant to 40 C.F.R. Section 268.7 for at least five years from the date that the waste subject to such documentation was last sent to on-site or off-site treatment, storage, or disposal.

36. At the time of the inspection referred to in paragraph 9, above, Respondent did not provide VDWM inspectors with written notifications and/or certifications for the off-site shipments of land disposal restricted shipped to WRC Processing Co. on September 6, 1990 under manifest number PAC 0560420.

37. Respondent failed to retain on-site written notifications and/or certifications produced pursuant to 40 C.F.R. Section 268.7(a)(1) and/or (2) for the off-site shipments of land disposal restricted waste shipped to WRC Processing Co. on September 6, 1990 under manifest number PAC 0560420.

38. Respondent violated 40 C.F.R. Section 268.7(a)(6) by failing to retain on-site copies of all written notifications and/or certifications required to be produced pursuant to 40 C.F.R. Section 268.7(a)(1) and/or (2) for at least five years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal.

Count V

39. The allegations of Paragraphs 1 through 38 of the Complaint are incorporated herein by reference.

40. 40 C.F.R. Section 268.50(a) provides, in pertinent part, that except as provided in 40 C.F.R. Section 268.50, the storage of hazardous wastes restricted from land disposal under Subpart C of Part 268 of [sic - should be "or"] RCRA Section 3004 is prohibited, unless the following conditions are met:

- (1) A generator stores such wastes in tanks or containers on-site solely for the purpose of accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or

disposal and the generator complies with the requirements in 40 C.F.R. Section 262.34.

* * *

41. VHWMR Section 6.05.05(b) (40 C.F.R. Section 262.34(b)) provides that a generator who accumulates hazardous waste for more than 90 days is an operator of a storage facility and is subject to the requirements of VHWMR Sections 9.00 or 10.00 and 11.00 (40 C.F.R. Parts 264, 265 and 270) unless it has been granted an extension to the 90-day period.

42. VHWMR Section 11.01 (Section 3005(a) of RCRA, 42 U.S.C. Section 6925(a) and 40 C.F.R. Section 270.1(b)) requires a permit for the treatment, storage, or disposal of any hazardous waste unless specifically excluded by the VHWMR.

43. VHWMR Section 11.01.02 (40 C.F.R. Section 270.1(c)(2)(i)) provides, in pertinent part, that generators who accumulate hazardous waste on-site for less than 90 days as provided in VHWMR Section 6.05.05 (40 C.F.R. Section 262.34) are not required to obtain a hazardous waste management permit.

44. At the time of the inspection referred to in paragraph 9, above, Respondent was storing six drums of hazardous wastes having hazardous waste numbers F001, F003, and F007 for more than ninety (90) days without interim status or a permit and without qualifying for an exemption pursuant to VHWMR Section 6.05.05(b) (40 C.F.R. Section 262.34(b)).

45. On November 8, 1986 hazardous wastes having the EPA hazardous waste numbers F001 and F003 became restricted from land disposal pursuant to 40 C.F.R. Section 268.30.

46. On July 8, 1989 hazardous wastes having the EPA hazardous waste number F007 became restricted from land disposal pursuant to 40 C.F.R. Section 268.34.

47. At the time Respondent was accumulating the hazardous waste referred to in paragraph 44, above, land disposal restrictions were applicable to hazardous waste having hazardous waste numbers F001, F003, and F007 pursuant to 40 C.F.R. Sections 268.30 and 268.34.

48. Respondent does not have a permit or interim status to store hazardous waste at the Facility and does not qualify for an exemption pursuant to VHWMR Section 6.05.05(b) (40 C.F.R. Section 262.34(a)).

49. Respondent violated 40 C.F.R. Section 268.50(a)(1) by storing hazardous wastes restricted from land disposal at the Facility without complying with the requirements in 40 C.F.R.

Section 262.34. The Facility was in violation from June 21, 1989 to at least November 28, 1990 for wastes stored since March 23, 1989.

III. COMPLIANCE ORDER

Pursuant to the authority of Section 3008(a) of RCRA, 42 U.S.C. Section 6928(a), Respondent is hereby ordered to:

1. Within fifteen (15) days following receipt of this Complaint, perform the waste analyses required under 40 C.F.R. Section 268.7(a) to determine if each waste the Facility generates is restricted from land disposal.
2. Within fifteen (15) days of receipt of this Complaint, furnish to each treatment, storage, or disposal facility which received any shipment of land disposal restricted hazardous waste listed in paragraphs 20 and 29, above, written notifications and/or certifications which set forth the applicable treatment standards or prohibition levels for the wastes shipped with the degree of specificity as required under 40 C.F.R. Section 268.7(a)(1) and/or (2). Include with such written notifications and/or certifications a written explanation informing each facility that such documentation is being transmitted under a Compliance Order issued to Respondent by EPA.
3. Within fifteen (15) days following receipt of this Complaint, furnish written notifications and/or certifications required under 40 C.F.R. Section 268.7(a), as applicable, to each treatment, storage or disposal facility that received Respondent's land disposal restricted waste but did not receive such written notification and/or certification with the original shipments of such wastes. Include with the written notification and/or certification a written explanation informing the facilities that such documentation is being transmitted under a Compliance Order issued to Respondent by EPA.
4. At all times following receipt of this Complaint, retain on-site copies of all notices, certifications, demonstrations, waste analyses, data, and other documentation required to be produced pursuant to 40 C.F.R. Section 268.7, for at least five years from the date that the waste subject to such documentation is last sent to on-site or off-site treatment, storage or disposal in accordance with 40 C.F.R. Section 268.7(a)(6).
5. At all times following receipt of this Complaint, cease storing hazardous wastes restricted from land disposal at the Facility unless the Facility complies with the requirements in 40

C.F.R. Section 262.34; or obtains a permit to store hazardous waste and complies with 40 C.F.R. Section 268.50.

6. Within 30 days of receipt of this Complaint, submit to EPA a written determination as to whether Respondent intends to submit an application for a permit to store hazardous waste at the Facility. If Respondent determines that no hazardous waste treatment permit is necessary, then the written determination shall include an explanation of how Respondent will prevent on-site storage of hazardous waste without interim status or a permit except in accordance with VHWMR Section 6.05.05 (40 C.F.R. Section 262.34). If Respondent determines that it requires a hazardous waste storage permit, it shall apply for a permit within thirty (30) days of the effective date of this Complaint.

7. Within forty-five (45) days of receipt of this Complaint, submit to EPA a written report and certification signed by a responsible corporate official, as that term is defined in 40 C.F.R. Section 270.11(a), stating whether or not the Facility has complied with the activities set forth in paragraphs 1, 2, 3, and 6 above and describing the steps taken to correct the violations referred to above. The certification shall include the language specified in 40 C.F.R. Section 270.11(d).

Any violation of this Compliance Order or further violations of Subtitle C of RCRA may subject Respondent to further administrative, civil and/or criminal enforcement actions, including the imposition of civil penalties and criminal fines and/or imprisonment, as provided in Section 3008 of RCRA, 42 U.S.C. Section 6928.

IV. CIVIL PENALTY ASSESSMENT

Pursuant to Section 3008(a)(3) and (g) of RCRA, 42 U.S.C. Section 6928(a)(3) and (g), EPA proposes the assessment of a \$60,650 civil penalty against the Respondent for:

(a) COUNT I:

Failure to test or use its knowledge of the waste shipped off-site with the following manifests to determine if such waste is restricted from land disposal under 40 C.F.R. Part 268 as required by 40 C.F.R. Section 268.7(a):

Manifest MDC 0234948, shipped off-site on 7/27/89;
manifest MDC 0234943, shipped off-site on 2/15/90; and
manifest MDC 0235047, shipped off-site on 5/16/90.

\$22,500

(b) COUNT II:

Failure to notify each treatment and/or storage facility in writing of the appropriate treatment standards and any applicable prohibition levels for each LDR hazardous waste shipped off-site with the following manifests as required by 40 C.F.R. Section 268.7(a)(1):

Manifest MDC 0234830, shipped off-site on 4/19/91;
manifest MDC 0234834, shipped off-site on 6/21/91; and
manifest MDC 0234837, shipped off-site on 8/15/91.

\$19,500

(c) COUNT III:

Failure to furnish written notifications and/or certifications to the receiving facility with the shipment of land disposal restricted waste shipped off-site with the following manifest as required by 40 C.F.R. Section 268.7(a)(1) or (2):

Manifest PAB 5747125, shipped off-site on 11/14/88.

\$9,500

(d) COUNT IV:

Failure to retain on-site copies of the written notification and/or certification associated with the off-site shipment of land disposal restricted waste shipped off-site with the following manifest as required by 40 C.F.R. Section 268.7(a)(6):

Manifest PAC 0560420, shipped off-site on 9/6/90.

\$2,000

(e) COUNT V:

Storage of hazardous wastes restricted from land disposal at the Facility without complying with the requirements in 40 C.F.R. Section 268.50(a)(1):

\$7,150

The appropriateness of the proposed penalty is based upon facts as set forth in the Complaint; the nature, circumstances, extent, and gravity of the violation; and the RCRA Civil Penalty Policy issued by EPA on May 8, 1984. Payment of the penalty may

be made by sending a cashier's check, payable to the United States of America, to:

Regional Hearing Clerk
EPA Region III
P.O. Box 360515M
Pittsburgh, Pennsylvania 15251

A copy should be simultaneously transmitted to:

Regional Hearing Clerk (3RC00)
EPA Region III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

V. OPPORTUNITY TO REQUEST A HEARING

Respondent has the right to request a hearing to contest any matter of law or material fact set forth in the Complaint and Compliance Order, the appropriateness of the assessed penalty, or the terms of the Compliance Order. To request a hearing, Respondent must file a written Answer to the Complaint with the Regional Hearing Clerk (3RC00), EPA Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107, within thirty (30) days of receipt of this Complaint. The Answer should clearly and directly admit, deny, or explain each of the factual allegations contained in the Complaint of which the Respondent has any knowledge. The Answer should contain: (1) a statement of the facts which constitute the grounds of defense; (2) a concise statement of the facts which Respondent intends to place at issue in the hearing; and (3) a request for a hearing, if Respondent desires a hearing. The denial of any material fact or the raising of any affirmative defense shall be construed as a request for a hearing. All material facts not denied in the Answer will be considered admitted.

If the Respondent fails to file a written Answer within thirty (30) days of receipt of this Complaint, such failure shall constitute an admission of all facts alleged in the Complaint and a waiver of Respondent's right to a hearing on such factual allegations. Failure to file a written Answer may result in the filing of a Motion for Default Order imposing the penalties herein and ordering compliance with the terms of the Compliance Order without further proceedings.

Any hearing requested by Respondent will be held at a location to be determined at a later date pursuant to regulation 40 C.F.R. Section 22.21(d). The hearing will be conducted in accordance with the provisions of the Administrative Procedure Act, 5 U.S.C. Sections 551-559 and the Consolidated Rules of Practice, 40 C.F.R. Part 22. A copy of these rules is attached.

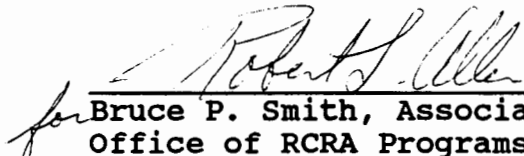
VI. SETTLEMENT CONFERENCE

Complainant encourages settlement of the proceedings at any time after issuance of the Complaint if such settlement is consistent with the provisions and objectives of RCRA. Whether or not a hearing is requested, Respondent may request a settlement conference with the Complainant to discuss the allegations of the Complaint, and the amount of the proposed civil penalty. However, a request for a settlement conference does not relieve the Respondent of its responsibility to file a timely Answer.

In the event settlement is reached, its terms shall be expressed in a written Consent Agreement prepared by Complainant, signed by the parties, and incorporated into a Final Order signed by the Regional Administrator. The execution of such a Consent Agreement shall constitute a waiver of Respondent's right to a hearing on any issues of law, fact, or discretion or the amount of any penalties agreed to in the Consent Agreement.

The staff attorney assigned to this case is Cheryl Jamieson. If you wish to arrange an informal settlement conference, please contact Ms. Jamieson at (215) 597-5499 prior to the expiration of the thirty (30) day period following the receipt of the Complaint. Once again, however such a request for an informal conference does not relieve Respondent of its responsibility to file an Answer within the (30) days following Respondent's receipt of this Complaint.

Dated: 9-30-91


for Bruce P. Smith, Associate Director
Office of RCRA Programs,
Hazardous Waste Management Division

TO: SHEILA

FROM: CHERYL

CHANGES TO FACTS in AMP COMPLAINT:

5. Respondent submitted an incomplete Part A permit application ("Part A") to EPA on October 24, 1983. Respondent did not sign the Part A and stated, "it is very probable that this AMP facility will have . . . waste removed from on-site before the 90 day storage period." The Part A was not signed by a principal corporate officer as required pursuant to VHWMR 11.07.01(a) (40 C.F.R. § 270.11(b)).

6. Respondent did not submit a Part B permit application to treat, store or dispose of hazardous waste in accordance with VHWMR _____ (40 C.F.R. § 270.____).

7. Respondent ^{was not an "existing hazardous waste management facility as that term is defined in _____,"} failed to qualify for interim status in accordance with VHWMR 11.03.01 (40 C.F.R. § 270.70(a); and does not have a permit to operate a hazardous waste treatment, storage, or disposal facility in accordance with VHWMR _____ (40 C.F.R. § 270.____).

8. Respondent is a "generator" of hazardous waste as that term is defined in VHWMR Section 2.77 (40 C.F.R. § 260.10).

9. On November 28, 1990, representatives of the Virginia Department of Waste Management ("VDWM") conducted an inspection of the Facility and observed a number of violations of the Federal and state hazardous waste management regulations.

COUNT I

10. The allegations of Paragraphs 1 through 10 of this Complaint are incorporated by reference.

11. 40 C.F.R. § 268.7(a) provides that, except as specified in Section 268.32 or 268.43 (which are not applicable to this case), a generator must test his waste or test an extract developed using test method described in Appendix I or Part 268, or use knowledge of the waste, to determine if the waste is restricted from land disposal under Part 268.

12. According to representatives of VDWM, at the time of the state inspection in November of 1990, Respondent was generating hazardous waste having the EPA Hazardous Waste No. F007, which is described in _____ (40 C.F.R. §§ 261.24 and 261.31), ^{DOOS}

13. Respondent classified the hazardous wastes referred to in Paragraph 12, above, (~~EPA Hazardous Waste No. F007~~), as EPA

Hazardous Waste Number D008. (Such classifications were noted by representatives of VDWM) on the following manifests of Respondent:

14. According to information reviewed by representatives of VDWM, the hazardous wastes generated by Respondent which were classified as EPA Hazardous Waste No. D008 were actually EPA Hazardous Waste No. ^{by Respondent} F007 wastes.
D008/

15. Pursuant to 40 C.F.R. § 268.34(c)(1), EPA Hazardous Waste No. F007 waste is prohibited from land disposal effective July 8, 1989.

16. Respondent failed to determine that the wastes shipped off-site as EPA Hazardous Waste No. D008 as described in Paragraph __, were actually EPA Hazardous Waste No. ^{D008/} F007 wastes which are prohibited from land disposal effective July 8, 1989.

17. Respondent violated 40 C.F.R. § 268.7(a) by failing to test its waste, or test an extract developed using the test method described in Appendix I of 40 C.F.R. Part 268, or use knowledge of the waste to determine if Respondent's EPA Hazardous Waste No. ^{D008/} F007 waste is restricted from land disposal pursuant to 40 C.F.R. Part 268.

Enforcement Confidential

Initial Enforcement Case Screening Worksheet
(RCRA)

Facility: AMP, Inc.

Location: Harrisonburg, VA

I.D. VAD098444474 Type: L. Generator

Inspection Data: EPA State ✓

Enforcement Priority: M (H/M/L)

Violation: Actual Harm: Potential Harm: ✓

LB: ✓ Paper ✓
Storage ✓
Treatment
Disposal

Other:
Violations

Shipped waste w/o notification. Some misclassification
of waste -- the waste could be IDE waste. Storing WR
waste > 90 days. State handling base program
violations

TRI: NO

Repeat Class I Violator NO

Recurring Violation NO

Comments concerning violations:

Action Required: Yes ✓ No

Case Development: 3007 Needed ✓
Complaint ✓

P.O. Box 3608
Harrisburg, PA 17105-3608
Phone: 717-564-0100
TWX: 510-657-4110

Benson Klingler
Director, Environmental Programs
Mail Stop 081-001
Direct Dial: 717-558-5805
Fax: 717-558-5801

AMP

AMP Incorporated

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 18, 1991

F: Correspondence

Mr. Rich Waddington
Clean Harbors of Baltimore, Inc.
1910 Russell Street
Baltimore, MD 21230

Re: EPA Land Disposal Restrictions Notifications

Dear Mr. Waddington:

This is to notify you that AMP Incorporated is required by a Compliance Order issued by the United States Environmental Protection Agency on September 30, 1991, to provide "land ban" notice under 40 CFR § 268.7 regarding the three shipments for disposal of tin/lead filters listed below. AMP Incorporated has been providing "land ban" notices since July 1990 regarding these waste materials, although we have designated them as D008. EPA asserts in its Compliance Order that such waste materials should also be designated as F007. Pending resolution of this matter before EPA, and without necessarily agreeing with the F007 designation, we are complying with the Compliance Order and so we hereby notify you that the following waste/shipments should have been designated as F007, with a treatment standard found in 40 CFR § 268.41, Table CCWE, for metals, and 40 CFR § 268.43, Table CCW for cyanides:

<u>Manifest No.</u>	<u>Date of Shipment</u>
MDC 0234830	4/19/91
MDC 0234834	6/21/91
MDC 0234837	8/15/91

For further information regarding our position on this issue, you may refer to the attached letter to the Virginia Department of Waste Management.

If you have any questions or comments, please feel free to contact me.

Sincerely,

BKlingler

Benson Klingler
Director, Environmental Programs

cc: Michael Texter (081-001)
Doug Brennan (081-001)
Sheila Briggs, US EPA - Region III (3HW62)
Ross Smith (151-001)
Bret Westcott (151-001)



HAZARDOUS WASTE MANIFEST

Department of the Environment
Hazardous & Solid Waste Management Administration
2500 Broening Highway
Baltimore, MD 21224

Hazardous Waste Program

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039 Expires 9/30/91

In case of an emergency or spill, immediately call the National Response Center at (800) 424-8802 and the MDE at (301) 631-3388. Nights and Holidays at (301) 974-3551

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. VAD09844447410403	Manifest Document No. 10403	2. Page 1 of 1	Information in the shaded areas is not required by Federal law.
3. Generator's Name and Mailing Address Amp, Inc. 1175 North Main Street, Harrisonburg, VA 22801				A. State Manifest Document Number MDC 0234830	
4. Generator's Phone (703) 433-3200				B. State Generator's ID SAHE	
5. Transporter 1 Company Name Maryland Liquid Waste				C. State Transporter's ID HHW 417-111111	
6. US EPA ID Number MDD 980927156				D. Transporter's Phone 301-239-8962	
7. Transporter 2 Company Name				E. State Transporter's ID HHW 111-111111	
8. US EPA ID Number				F. Transporter's Phone 301-239-8962	
9. Designated Facility Name and Site Address Clean Harbors of Baltimore 1910 Russell Street Baltimore, MD 21230				G. State Facility ID MD 111-111111	
10. US EPA ID Number MDD 980555189				H. Facility's Phone 301-585-3910	
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)		12. Containers	13. Total Quantity	14. Unit Wt/Vol	15. Waste No.
a. RQ, Hazardous Waste Solid, N.O.S. (Pb, Lead Filters) CMR-8, NA9180		No. 606 Type DRUM	1565	2	001
b. Waste					
c. Waste					
d. Waste					
16. Special Handling Instructions and Additional Information CMR 820199 Emergency Phone # 800-424-9300					
17. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, and Maryland Statutes or Regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, If I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford. Printed/Typed Name Forest Atwood Signature Forest Atwood Date 04/19/91					
18. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Name EVAN FOGARTY Signature Evan Fogarty Date 04/19/91					
19. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name EVAN FOGARTY Signature Evan Fogarty Date 04/19/91					
20. Discrepancy Indication Space					
21. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19. Printed/Typed Name JAMES N. DILTS JR Signature James N. Dilts Jr Date 04/19/91					

MDC 0234830

**Generator Land Disposal Restriction Notification for
Hazardous Wastes Subject to an Effective Prohibition Date**

Generator Name: AMP INCORPORATED EPA ID No. VAD09844474
 Address: 1175 N. MAIN STREET Contact (Print) BRET WESCOTT
HARRISONBURG, VA 22801
 Signature: Bret Wescott Date: 10-17-91

The hazardous wastes identified on the accompanying manifest number MDC0234830 and bearing the EPA hazardous waste codes listed below are restricted wastes which are prohibited from land disposal under the Land Disposal Restrictions, 40 CFR Part 268. In accordance with 40 CFR 268.7(a)(3), the EPA waste code, waste subcategory, treatability group, treatment standards, technology codes, and appropriate references, as applicable, are provided below:

1. Characteristic Wastes 0001 through 0017

Waste Code/Subcategory	Numerical Treatment Standard, Technology Code and/or Reference	
	Wastewater	Household
<input type="checkbox"/> 0001		
<input type="checkbox"/> Ignitable Liquid Wastewaters	<input type="checkbox"/> Ref 2 -- DEACT	NA
<input type="checkbox"/> Ignitable Liquids < 10% TOC	NA	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Ignitable Liquids > or = 10% TOC	NA	<input type="checkbox"/> Ref 2 -- FSUBS; XORGs; or INCIN
<input type="checkbox"/> Ignitable Compressed Gas	NA	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Ignitable Reactives	NA	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Oxidizers	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> 0002		
<input type="checkbox"/> Acid, pH < or = 2.0	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Alkaline, pH > or = 12.5	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Other (per §261.22(a)(2))	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> 0003		
<input type="checkbox"/> Reactive Sulfoxides	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Reactive Cyanides	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 3
<input type="checkbox"/> Explosives	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Water Reactives	NA	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Other (per §261.23(a)(1))	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> 0004 - Arsenic	<input type="checkbox"/> Ref 3	USE FORM LDR2 INSTEAD
<input type="checkbox"/> 0005 - Barium	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> 0006		
<input type="checkbox"/> Cadmium	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> Cadmium Containing Batteries	NA	<input type="checkbox"/> Ref 2 -- RTHRM
<input type="checkbox"/> 0007 - Chromium	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input checked="" type="checkbox"/> 0008		
<input checked="" type="checkbox"/> Lead	<input type="checkbox"/> Ref 3	<input checked="" type="checkbox"/> Ref 1
<input type="checkbox"/> Lead Acid Batteries	NA	USE FORM LDR2 INSTEAD
<input type="checkbox"/> 0009 - Mercury	<input type="checkbox"/> Ref 3	USE FORM LDR2 INSTEAD
<input type="checkbox"/> 0010 - Selenium	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> 0011 - Silver	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> 0012 - Endrin	<input type="checkbox"/> Ref 2 -- S100G; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0013 - Lindane	<input type="checkbox"/> Ref 2 -- CARBN; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0014 - Methoxychlor	<input type="checkbox"/> Ref 2 -- METOX; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0015 - Toxaphene	<input type="checkbox"/> Ref 2 -- S100G; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0016 - 2,4-D	<input type="checkbox"/> Ref 2 -- CHOXD; S100G; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0017 - 2,4,5-TP (Silvex)	<input type="checkbox"/> Ref 2 -- CHOXD; or INCIN	<input type="checkbox"/> Ref 3

References

Ref 1: See numerical treatment standard(s) in 40 CFR 268.61, Table CCM - Constituent Concentrations in Waste Extract
 Ref 2: See technology-based standard(s) in 40 CFR 268.42, Table 2 - Technology-Based Standard by RCRA Waste Codes
 Ref 3: See numerical treatment standard(s), 40 CFR 268.43, Table CCM - Constituent Concentrations in Waste

☒ CHECK HERE IF SPENT SOLVENT, CALIFORNIA LIST, OR F-, K-, P-, OR U-CODE WASTE. IF CHECKED, COMPLETE PAGE 2.

II. Spent Solvent Wastes F001 through F005

Spent Solvent Waste Code(s) -- Check all which apply: ☐ F001 ☐ F002 ☐ F003 ☐ F004 ☐ F005

Constituent	Concentration (mg/l unless otherwise specified)	
	Wastewater	Nonwastewater
<input type="checkbox"/> Acetone	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.99
<input type="checkbox"/> Benzene	<input type="checkbox"/> 0.070	<input type="checkbox"/> 3.7 mg/kg
<input type="checkbox"/> n-Butyl alcohol	<input type="checkbox"/> 5.0	<input type="checkbox"/> 5.0
<input type="checkbox"/> Carbon disulfide	<input type="checkbox"/> 1.05	<input type="checkbox"/> 4.81
<input type="checkbox"/> Carbon tetrachloride	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.96
<input type="checkbox"/> Chlorobenzene	<input type="checkbox"/> 0.15	<input type="checkbox"/> 0.05
<input type="checkbox"/> Cresols (and cresylic acid)	<input type="checkbox"/> 2.82	<input type="checkbox"/> 0.75
<input type="checkbox"/> Cyclohexanone	<input type="checkbox"/> 0.125	<input type="checkbox"/> 0.75
<input type="checkbox"/> 1,2-Dichlorobenzene	<input type="checkbox"/> 0.65	<input type="checkbox"/> 0.125
<input type="checkbox"/> 2-Ethoxyethanol (F005)	<input type="checkbox"/> Ref 2 -- SICOG; or INCIN	<input type="checkbox"/> Ref 2 -- INCIN
<input type="checkbox"/> Ethyl acetate	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.75
<input type="checkbox"/> Ethylbenzene	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.053
<input type="checkbox"/> Ethyl ether	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.75
<input type="checkbox"/> Isobutanol	<input type="checkbox"/> 5.0	<input type="checkbox"/> 5.0
<input type="checkbox"/> Methanol	<input type="checkbox"/> 0.25	<input type="checkbox"/> 0.75
<input type="checkbox"/> Methylene chloride	<input type="checkbox"/> 0.20	<input type="checkbox"/> 0.96
<input type="checkbox"/> Methylene chloride -- Pharmaceutical Industry Wastewater Only	<input type="checkbox"/> 0.44	NA
<input type="checkbox"/> Methyl ethyl ketone	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.75
<input type="checkbox"/> Methyl isobutyl ketone	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.33
<input type="checkbox"/> Nitrobenzene	<input type="checkbox"/> 0.66	<input type="checkbox"/> 0.125
<input type="checkbox"/> 2-Nitropropane (F005)	<input type="checkbox"/> Ref 2 -- (WETOX or CHOXD) 1b CARBN; or INCIN	<input type="checkbox"/> Ref 2 -- INCIN
<input type="checkbox"/> Pyridine	<input type="checkbox"/> 1.12	<input type="checkbox"/> 0.33
<input type="checkbox"/> Tetrachloroethylene	<input type="checkbox"/> 0.079	<input type="checkbox"/> 0.05
<input type="checkbox"/> Toluene	<input type="checkbox"/> 1.12	<input type="checkbox"/> 0.33
<input type="checkbox"/> 1,1,1-Trichloroethane	<input type="checkbox"/> 1.05	<input type="checkbox"/> 0.41
<input type="checkbox"/> 1,1,2-Trichloroethane	<input type="checkbox"/> 0.030	<input type="checkbox"/> 7.6 mg/kg
<input type="checkbox"/> 1,1,2-Trichloro-1,2,2-Tetrafluoroethane	<input type="checkbox"/> 1.05	<input type="checkbox"/> 0.96
<input type="checkbox"/> Trichloroethylene	<input type="checkbox"/> 0.062	<input type="checkbox"/> 0.091
<input type="checkbox"/> Trichlorofluoroethane	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.96
<input type="checkbox"/> Xylene	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.15

III. California List Wastes -- Hazardous waste containing one or more of the following constituents:

- ☐ Nickel > or = 134 mg/l ☐ Thallium > or = 130 mg/l
☐ Liquids with PCB's > or = 50 ppm ☐ Waste containing HOC's > or = 1,000 mg/kg

IV. Other Listed Hazardous Wastes (F006-F012, F019-F028, K-, U-, and P-codes)

EPA Hazardous Waste Code	Wastewater or Nonwastewater	5-letter Technology Code (if applicable -- see Ref 2)	Reference(s) (Ref 1, Ref 2, and/or Ref 3)
F007	NON WASTEWATER	NA	*SEE BELOW

☐ CHECK HERE IF ADDITIONAL LISTED WASTE CODES ARE PRESENT. IF CHECKED, USE LDR1 CONTINUATION SHEET.

References

- Ref 1: See numerical treatment standard(s) in 40 CFR 268.41, Table CCUE - Constituent Concentrations in Waste Extract
 Ref 2: See technology-based standard(s) in 40 CFR 268.42, Table 2 - Technology-based Standard By RCRA Waste Codes
 Ref 3: See numerical treatment standard(s), 40 CFR 268.43, Table CCU - Constituent Concentrations in Waste

* REFERENCE REF 1 FOR METALS
 REFERENCE REF 3 FOR CYANIDE



HAZARDOUS WASTE MANIFEST

Department of the Environment
Hazardous & Solid Waste Management Administration
2500 Broening Highway
Baltimore, MD 21224

Hazardous Waste Program

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved OMB No. 2050-0039 Expires 9/30/91

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. VAD098444474		Manifest Document No. 10608		2. Page 1 of 1		Information in the shaded areas is not required by Federal law.					
3. Generator's Name and Mailing Address AMP, Inc. 1175 North Main Street, Harrisonburg, VA 22801						A. State Manifest Document Number MDC 0234834							
4. Generator's Phone (703) 433-3200						B. State Generator's ID NAME							
5. Transporter 1 Company Name Maryland Liquid Waste						C. State Transporter's ID HW 1111111111							
6. US EPA ID Number MD D980927156						D. Transporter's Phone 301-239-8962							
7. Transporter 2 Company Name						E. State Transporter's ID HW 1111111111							
8. US EPA ID Number						F. Transporter's Phone 301-239-8962							
9. Designated Facility Name and Site Address Clean Harbors of Baltimore 1910 Russell Street Baltimore, MD 21230						G. State Facility ID 1111							
10. US EPA ID Number MD D980555189						H. Facility's Phone 301-685-3910							
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)						12. Containers		13. Total Quantity		14. Unit Wt/Vol		15. Waste No.	
a. HQ, Hazardous Waste Solid, N.O.S. (Tin, Lead Filters) ORM-R NA9189 (0000)						No. Type		Quantity		Unit Wt/Vol		Waste No.	
						003 DM		00684		P		D0008	
b.													
c.													
d.													
16. Additional Descriptions for Materials Listed Above						17. Handling Codes for Wastes Listed Above							
a. C 1.15 1.00						b. 2.1 2.1							
18. Special Handling Instructions and Additional Information (Chemtrak) Emergency Phone # 800-424-9300													
19. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, and Maryland Statutes or Regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.													
Printed/Typed Name BRET L. WESCOTT Signature Bret L. Wescott Month Day Year 06/21/91													
17. Transporter 1 Acknowledgement of Receipt of Materials													
Printed/Typed Name Evan Fonger Signature Evan Fonger Month Day Year 06/21/91													
18. Transporter 2 Acknowledgement of Receipt of Materials													
Printed/Typed Name David W. Dallas Signature David W. Dallas Month Day Year 06/21/91													
19. Discrepancy Indication Space													
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.													
Printed/Typed Name David W. Dallas Signature David W. Dallas Month Day Year 06/21/91													

In case of an emergency or spill, immediately call the National Response Center at (800) 424-8802 and the MDE at (301) 631-3388. Nights and Holidays at (301) 974-3551

MDC 0234834

**Generator Land Disposal Restriction Notification for
Hazardous Wastes Subject to an Effective Prohibition Date**

Generator Name: AMP INCORPORATED EPA ID No. VAD098444474
 Address: 1175 N. MAIN STREET Contact (Print) BRET WESCOTT
HARRISONBURG, VA 22801
 Signature: Bret Wescott Date: 10-17-91

The hazardous wastes identified on the accompanying manifest number MDC0234834 and bearing the EPA hazardous waste codes listed below are restricted wastes which are prohibited from land disposal under the Land Disposal Restrictions, 40 CFR Part 268. In accordance with 40 CFR 268.7(a)(3), the EPA waste code, waste subcategory, treatability groups, treatment standards, technology codes, and appropriate references, as applicable, are provided below:

1. Characteristic Wastes 0001 through 0017

Waste Code/Subcategory	Numerical Treatment Standard, Technology Code and/or Reference	
	<u>Underwater</u>	<u>Nonunderwater</u>
<input type="checkbox"/> 0001		
<input type="checkbox"/> Ignitable Liquid Wastewaters	<input type="checkbox"/> Ref 2 -- DEACT	NA
<input type="checkbox"/> Ignitable Liquids < 10% TOC	NA	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Ignitable Liquids > or = 10% TOC	NA	<input type="checkbox"/> Ref 2 -- FSUS; XORG; or INCIN
<input type="checkbox"/> Ignitable Compressed Gas	NA	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Ignitable Reactives	NA	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Oxidizers	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> 0002		
<input type="checkbox"/> Acid, pH < or = 2.0	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Alkaline, pH > or = 12.5	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Other (per §261.22(a)(2))	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> 0003		
<input type="checkbox"/> Reactive Sulfides	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Reactive Cyanides	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 3
<input type="checkbox"/> Explosives	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Water Reactives	NA	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Other (per §261.23(a)(1))	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> 0004 - Arsenic	<input type="checkbox"/> Ref 3	USE FORM LDR2 INSTEAD
<input type="checkbox"/> 0005 - Barium	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> 0006		
<input type="checkbox"/> Cadmium	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> Cadmium Containing Batteries	NA	<input type="checkbox"/> Ref 2 -- RTRM
<input type="checkbox"/> 0007 - Chromium	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input checked="" type="checkbox"/> 0008		
<input checked="" type="checkbox"/> Lead	<input type="checkbox"/> Ref 3	<input checked="" type="checkbox"/> Ref 1
<input type="checkbox"/> Lead Acid Batteries	NA	USE FORM LDR2 INSTEAD
<input type="checkbox"/> 0009 - Mercury	<input type="checkbox"/> Ref 3	USE FORM LDR2 INSTEAD
<input type="checkbox"/> 0010 - Selenium	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> 0011 - Silver	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> 0012 - Endrin	<input type="checkbox"/> Ref 2 -- BICOG; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0013 - Lindane	<input type="checkbox"/> Ref 2 -- CARBN; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0014 - Methoxychlor	<input type="checkbox"/> Ref 2 -- METOX; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0015 - Toxaphene	<input type="checkbox"/> Ref 2 -- BICOG; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0016 - 2,4-D	<input type="checkbox"/> Ref 2 -- CHCND; BICOG; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0017 - 2,4,5-TP (Silvex)	<input type="checkbox"/> Ref 2 -- CHCND; or INCIN	<input type="checkbox"/> Ref 3

References

Ref 1: See numerical treatment standard(s) in 40 CFR 268.61, Table CCME - Constituent Concentrations in Waste Extract
 Ref 2: See technology-based standard(s) in 40 CFR 268.42, Table 2 - Technology-Based Standard By RCRA Waste Codes
 Ref 3: See numerical treatment standard(s), 40 CFR 268.63, Table CCN - Constituent Concentrations in Waste

☒ CHECK HERE IF SPENT SOLVENT, CALIFORNIA LIST, OR F-, K-, P-, OR U-CODE WASTE. IF CHECKED, COMPLETE PAGE 2.

II. Spent Solvent Wastes F001 through F005

Spent Solvent Waste Code(s) -- Check all which apply: ☐ F001 ☐ F002 ☐ F003 ☐ F004 ☐ F005

Constituent	Concentration (mg/l unless otherwise specified)	
	Wastewater	Sludge/Water
<input type="checkbox"/> Acetone	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.50
<input type="checkbox"/> Benzene	<input type="checkbox"/> 0.070	<input type="checkbox"/> 3.7 mg/kg
<input type="checkbox"/> n-Butyl alcohol	<input type="checkbox"/> 5.0	<input type="checkbox"/> 5.0
<input type="checkbox"/> Carbon disulfide	<input type="checkbox"/> 1.05	<input type="checkbox"/> 4.81
<input type="checkbox"/> Carbon tetrachloride	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.96
<input type="checkbox"/> Chlorobenzene	<input type="checkbox"/> 0.15	<input type="checkbox"/> 0.05
<input type="checkbox"/> Cresols (and cresylic acid)	<input type="checkbox"/> 2.82	<input type="checkbox"/> 0.75
<input type="checkbox"/> Cyclohexanone	<input type="checkbox"/> 0.125	<input type="checkbox"/> 0.75
<input type="checkbox"/> 1,2-Dichlorobenzene	<input type="checkbox"/> 0.65	<input type="checkbox"/> 0.125
<input type="checkbox"/> 2-Ethoxyethanol (F005)	<input type="checkbox"/> Ref 2 -- BIOLOG; or INCIN	<input type="checkbox"/> Ref 2 -- INCIN
<input type="checkbox"/> Ethyl acetate	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.75
<input type="checkbox"/> Ethylbenzene	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.053
<input type="checkbox"/> Ethyl ether	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.75
<input type="checkbox"/> Isobutanol	<input type="checkbox"/> 5.0	<input type="checkbox"/> 5.0
<input type="checkbox"/> Methanol	<input type="checkbox"/> 0.25	<input type="checkbox"/> 0.75
<input type="checkbox"/> Methylene chloride	<input type="checkbox"/> 0.20	<input type="checkbox"/> 0.96
<input type="checkbox"/> Methylene chloride -- Pharmaceutical Industry Wastewater Only	<input type="checkbox"/> 0.44	NA
<input type="checkbox"/> Methyl ethyl ketone	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.75
<input type="checkbox"/> Methyl isobutyl ketone	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.33
<input type="checkbox"/> Nitrobenzene	<input type="checkbox"/> 0.66	<input type="checkbox"/> 0.125
<input type="checkbox"/> 2-Nitropropane (F005)	<input type="checkbox"/> Ref 2 -- (NITOX or CHOXD) fb CARBN; or INCIN	<input type="checkbox"/> Ref 2 -- INCIN
<input type="checkbox"/> Pyridine	<input type="checkbox"/> 1.12	<input type="checkbox"/> 0.33
<input type="checkbox"/> Tetrachloroethylene	<input type="checkbox"/> 0.075	<input type="checkbox"/> 0.05
<input type="checkbox"/> Toluene	<input type="checkbox"/> 1.12	<input type="checkbox"/> 0.33
<input type="checkbox"/> 1,1,1-Trichloroethane	<input type="checkbox"/> 1.05	<input type="checkbox"/> 0.41
<input type="checkbox"/> 1,1,2-Trichloroethane	<input type="checkbox"/> 0.030	<input type="checkbox"/> 7.6 mg/kg
<input type="checkbox"/> 1,1,2-Trichloro-1,2,2-Tri-fluoroethane	<input type="checkbox"/> 1.05	<input type="checkbox"/> 0.96
<input type="checkbox"/> Trichloroethylene	<input type="checkbox"/> 0.062	<input type="checkbox"/> 0.091
<input type="checkbox"/> Trichlorofluoromethane	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.96
<input type="checkbox"/> Xylene	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.15

III. California List Wastes -- Hazardous waste containing one or more of the following constituents:

- ☐ Nickel > or = 134 mg/l ☐ Thallium > or = 130 mg/l
☐ Liquids with PCB's > or = 50 ppm ☐ Waste containing HOC's > or = 1,000 mg/kg

IV. Other Listed Hazardous Wastes (F006-F012, F019-F028, K-, U-, and P-codes)

EPA Hazardous Waste Code	Wastewater or Sludge/Water	S-letter Technology Code (if applicable -- see Ref 2)	Reference(s) (Ref 1, Ref 2, and/or Ref 3)
F007	NON WASTEWATER	NA	* SEE BELOW

☐ CHECK HERE IF ADDITIONAL LISTED WASTE CODES ARE PRESENT. IF CHECKED, USE LDR1 CONTINUATION SHEET.

References

- Ref 1: See numerical treatment standard(s) in 40 CFR 268.41, Table CQUE - Constituent Concentrations in Waste Extract
 Ref 2: See Technology-based standard(s) in 40 CFR 268.42, Table 2 - Technology-based Standard by RCRA Waste Codes
 Ref 3: See numerical treatment standard(s), 40 CFR 268.43, Table CQU - Constituent Concentrations in Waste

CNS Form LDR1, Page 2 of 2 (Revised 06/15/91)

* REFERENCE REF 1 FOR METALS
 REFERENCE REF 3 FOR CYANIDE



HAZARDOUS WASTE MANIFEST
Department of the Environment
Hazardous & Solid Waste Management Administration
2500 Broening Highway Baltimore, MD 21224

Hazardous Waste Program

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039 Expires 9/30/91

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. VA D09844447410009	Manifest Document No. 36W	2. Page 1 of 1	Information in the shaded areas is not required by Federal law.
3. Generator's Name and Mailing Address DMF, Inc. 1175 North Main Street, Harrisonburg, VA 22801				A. State Manifest Document Number MDC 0234837	
4. Generator's Phone (703) 433-3200				B. State Generator's ID SAVE	
5. Transporter 1 Company Name Maryland Liquid Waste				C. State Transporter's ID HWH 017 VA 330 DC 509	
6. US EPA ID Number MD D982677092				D. Transporter's Phone 301-430-8962	
7. Transporter 2 Company Name				E. State Transporter's ID Number HWH 017 VA 330 DC 509	
8. US EPA ID Number				F. Transporter's Phone	
9. Designated Facility Name and Site Address Clean Harbors of Baltimore 1910 Russell Street Baltimore, MD 21230				G. State Facility ID 153	
10. US EPA ID Number MD D980555109				H. Facility's Phone 301-485-3910	
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)		12. Containers	13. Total Quantity	14. Unit Wt/Vol	15. Waste No.
a. HL Hazardous Waste Solid, N.O.S. (Tin, Lead Filters) CMR-E MD109		No. 006 Type DX	01675	P	00000000
b.					
c.					
d.					
1. Additional Descriptions for Materials Listed Above		K. Handling Codes for Wastes Listed Above			
Hazard Code 1.1 Physical State 1.00 Specific Gravity 1.00 Flash Point 1.00 Boiling Point 1.00 Melting Point 1.00 Viscosity 1.00 Odor 1.00 Taste 1.00 Color 1.00 Other 1.00		Handling Codes 1.00			
15. Special Handling Instructions and Additional Information Chemtrak - Emergency Phone # 800-424-3300					
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, and Maryland Statutes or Regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford. Printed/Typed Name BRET L. WESCOTT Signature Bret L. Wescott Month Day Year 08/15/91					
17. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Name EVAN FOGARTY Signature Evan Fogarty Date 08/15/91					
18. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name _____ Signature _____ Date _____					
19. Discrepancy Indication Space					
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19. Printed/Typed Name _____ Signature _____ Date _____					

In case of an emergency or spill, immediately call the National Response Center at (800) 424-8802 and the MDE at (301) 631-3386. Nights and Holidays at (301) 974-3551

MDC 0234837

**Generator Land Disposal Restriction Notification for
Hazardous Wastes Subject to an Effective Prohibition Date**

Generator Name: AMP INCORPORATED EPA ID No. VAD098444474
 Address: 1175 N. MAIN STREET Contact (Print) BRET WESCOTT
HARRISONBURG, VA 22801
 Signature: Beth W. Scott Date: 10-17-91

The hazardous wastes identified on the accompanying manifest number MDC0234837 and bearing the EPA hazardous waste codes listed below are restricted wastes which are prohibited from land disposal under the Land Disposal Restrictions, 40 CFR Part 268. In accordance with 40 CFR 268.7(a)(3), the EPA waste code, waste subcategory, treatability groups, treatment standards, technology codes, and appropriate references, as applicable, are provided below:

1. Characteristic Wastes D001 through D017

Waste Code/Subcategory	Numerical Treatment Standard, Technology Code and/or Reference	Formal Comment
	<u>Wastewater</u>	<u>Nonhazardous</u>
() D001		
() Ignitable Liquid Wastewaters	() Ref 2 -- DEACT	NA
() Ignitable Liquids < 10% TOC	NA	() Ref 2 -- DEACT
() Ignitable Liquids > or = 10% TOC	NA	() Ref 2 -- FSUS; XORGs; or INCIN
() Ignitable Compressed Gas	NA	() Ref 2 -- DEACT
() Ignitable Reactives	NA	() Ref 2 -- DEACT
() Oxidizers	() Ref 2 -- DEACT	() Ref 2 -- DEACT
() D002		
() Acid, pH < or = 2.0	() Ref 2 -- DEACT	() Ref 2 -- DEACT
() Alkaline, pH > or = 12.5	() Ref 2 -- DEACT	() Ref 2 -- DEACT
() Other (per §261.22(a)(2))	() Ref 2 -- DEACT	() Ref 2 -- DEACT
() D003		
() Reactive Sulfides	() Ref 2 -- DEACT	() Ref 2 -- DEACT
() Reactive Cyanides	() Ref 3	() Ref 3
() Explosives	() Ref 2 -- DEACT	() Ref 2 -- DEACT
() Water Reactives	NA	() Ref 2 -- DEACT
() Other (per §261.23(a)(1))	() Ref 2 -- DEACT	() Ref 2 -- DEACT
() D004 - Arsenic	() Ref 3	USE FORM LDR2 INSTEAD
() D005 - Barium	() Ref 3	() Ref 1
() D006		
() Cadmium	() Ref 3	() Ref 1
() Cadmium Containing Batteries	NA	() Ref 2 -- RTHM
() D007 - Chromium	() Ref 3	() Ref 1
(X) D008		
(X) Lead	() Ref 3	(X) Ref 1
() Lead Acid Batteries	NA	USE FORM LDR2 INSTEAD
() D009 - Mercury	() Ref 3	USE FORM LDR2 INSTEAD
() D010 - Selenium	() Ref 3	() Ref 1
() D011 - Silver	() Ref 3	() Ref 1
() D012 - Endrin	() Ref 2 -- BICOG; or INCIN	() Ref 3
() D013 - Lindane	() Ref 2 -- CARBN; or INCIN	() Ref 3
() D014 - Methoxychlor	() Ref 2 -- METOX; or INCIN	() Ref 3
() D015 - Toxaphene	() Ref 2 -- BICOG; or INCIN	() Ref 3
() D016 - 2,4-D	() Ref 2 -- CHCXX; BICOG; or INCIN	() Ref 3
() D017 - 2,4,5-TP (Silvex)	() Ref 2 -- CHCXX; or INCIN	() Ref 3

References

Ref 1: See numerical treatment standard(s) in 40 CFR 268.61, Table CCM - Constituent Concentrations in Waste Extract
 Ref 2: See technology-based standard(s) in 40 CFR 268.42, Table 2 - Technology-Based Standard by RCRA Waste Codes
 Ref 3: See numerical treatment standard(s), 40 CFR 268.63, Table CCM - Constituent Concentrations in Waste

(X) CHECK HERE IF SPENT SOLVENT, CALIFORNIA LIST, OR F-, K-, P-, OR U-CODE WASTE. IF CHECKED, COMPLETE PAGE 2.

II. Spent Solvent Wastes F001 through F005

Spent Solvent Waste Code(s) -- Check all which apply: ☐ F001 ☐ F002 ☐ F003 ☐ F004 ☐ F005

Constituent	Concentration (mg/l unless otherwise specified)	
	Wastewater	Sludge/Water
<input type="checkbox"/> Acetone	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.40
<input type="checkbox"/> Benzene	<input type="checkbox"/> 0.070	<input type="checkbox"/> 3.7 mg/kg
<input type="checkbox"/> n-Butyl alcohol	<input type="checkbox"/> 5.0	<input type="checkbox"/> 5.0
<input type="checkbox"/> Carbon disulfide	<input type="checkbox"/> 1.05	<input type="checkbox"/> 4.81
<input type="checkbox"/> Carbon tetrachloride	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.96
<input type="checkbox"/> Chlorobenzene	<input type="checkbox"/> 0.15	<input type="checkbox"/> 0.05
<input type="checkbox"/> Cresols (and cresylic acid)	<input type="checkbox"/> 2.82	<input type="checkbox"/> 0.75
<input type="checkbox"/> Cyclohexane	<input type="checkbox"/> 0.125	<input type="checkbox"/> 0.75
<input type="checkbox"/> 1,2-Dichlorobenzene	<input type="checkbox"/> 0.65	<input type="checkbox"/> 0.125
<input type="checkbox"/> 2-Ethoxyethanol (F005)	<input type="checkbox"/> Ref 2 -- BIOG; or INCIN	<input type="checkbox"/> Ref 2 -- INCIN
<input type="checkbox"/> Ethyl acetate	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.75
<input type="checkbox"/> Ethylbenzene	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.053
<input type="checkbox"/> Ethyl ether	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.75
<input type="checkbox"/> Isobutanol	<input type="checkbox"/> 5.0	<input type="checkbox"/> 5.0
<input type="checkbox"/> Methanol	<input type="checkbox"/> 0.25	<input type="checkbox"/> 0.75
<input type="checkbox"/> Methylene chloride	<input type="checkbox"/> 0.20	<input type="checkbox"/> 0.96
<input type="checkbox"/> Methylene chloride -- Pharmaceutical Industry Wastewater Only	<input type="checkbox"/> 0.46	NA
<input type="checkbox"/> Methyl ethyl ketone	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.75
<input type="checkbox"/> Methyl isobutyl ketone	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.33
<input type="checkbox"/> Nitrobenzene	<input type="checkbox"/> 0.66	<input type="checkbox"/> 0.125
<input type="checkbox"/> 2-Nitropropane (F005)	<input type="checkbox"/> Ref 2 -- (VETOX or CHOXD) fb CARBN; or INCIN	<input type="checkbox"/> Ref 2 -- INCIN
<input type="checkbox"/> Pyridine	<input type="checkbox"/> 1.12	<input type="checkbox"/> 0.33
<input type="checkbox"/> Tetrachloroethylene	<input type="checkbox"/> 0.079	<input type="checkbox"/> 0.05
<input type="checkbox"/> Toluene	<input type="checkbox"/> 1.12	<input type="checkbox"/> 0.33
<input type="checkbox"/> 1,1,1-Trichloroethane	<input type="checkbox"/> 1.05	<input type="checkbox"/> 0.41
<input type="checkbox"/> 1,1,2-Trichloroethane	<input type="checkbox"/> 0.030	<input type="checkbox"/> 7.6 mg/kg
<input type="checkbox"/> 1,1,2-Trichloro-1,2,2-Tri- fluoroethane	<input type="checkbox"/> 1.05	<input type="checkbox"/> 0.96
<input type="checkbox"/> Trichloroethylene	<input type="checkbox"/> 0.062	<input type="checkbox"/> 0.091
<input type="checkbox"/> Trichlorofluoroethane	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.96
<input type="checkbox"/> Xylene	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.15

III. California List Wastes -- Hazardous waste containing one or more of the following constituents:

- ☐ Nickel > or = 134 mg/l ☐ Thallium > or = 130 mg/l
☐ Liquids with PCB's > or = 50 ppm ☐ Waste containing HOC's > or = 1,000 mg/kg

IV. Other Listed Hazardous Wastes (F006-F012, F019-F028, K-, U-, and P-codes)

EPA Hazardous Waste Code	Wastewater or Sludge/Water	5-letter Technology Code (if applicable -- see Ref 2)	Reference(s) (Ref 1, Ref 2, and/or Ref 3)
F007	NON WASTEWATER	NA	*SEE BELOW

☐ CHECK HERE IF ADDITIONAL LISTED WASTE CODES ARE PRESENT. IF CHECKED, USE LDR1 CONTINUATION SHEET.

References

- Ref 1: See numerical treatment standard(s) in 40 CFR 268.61, Table CCM - Constituent Concentrations in Waste Extract
 Ref 2: See technology-based standard(s) in 40 CFR 268.42, Table 2 - Technology-based Standard by RCRA Waste Codes
 Ref 3: See numerical treatment standard(s), 40 CFR 268.43, Table CCM - Constituent Concentrations in Waste

* REFERENCE REF 1 FOR METALS
 REFERENCE REF 3 FOR CYANIDE

P.O. Box 3608
Harrisburg, PA 17105-3608
Phone: 717-564-0100
TWX: 510-657-4110

Michael Texter
Mgr. Env. Comp.
Mail Stop 81-01
Tel: (717) 558-5814
Fax: (717) 558-5801



AMP Incorporated

October 10, 1991

"Certified Mail"

James Saunders
VA Department of Waste Management
Division of Technical Services
11th Floor Monroe Building
101 N. 14th Street
Richmond, VA 23219

RE: EPA Hazardous Waste Number Determination

Dear Mr. Saunders:

The following information is provided in response to our conversation regarding the proper EPA waste number(s) for filter cartridges from filtration of a tin/lead fluoboric acid plating solution.

On November 28, 1990, Cheryl Finley of the Virginia Department of Waste Management conducted a RCRA inspection of AMP Incorporated's manufacturing operation in Harrisonburg, VA. A follow-up report was issued February 11, 1991. AMP responded to this report on March 14, 1991. On August 16, 1991, AMP received a request from EPA Region III regarding hazardous waste shipments subject to land disposal restrictions. AMP provided this information to the EPA on September 5, 1991. On October 3, 1991, AMP received a RCRA Complaint and Compliance Order from the EPA. A key issue in this Complaint and Compliance Order is the proper EPA waste number(s) for filter cartridges from filtration of a tin/lead fluoboric acid plating solution.

AMP Incorporated conducts electroplating operations at the Harrisonburg facility. These electroplating operations are performed on copper and copper alloy strip in a continuous plating operation. The copper metal strip goes through a number of plating steps. Of particular interest and concern are the plating steps after gold (cyanide) plating. The attached blueprint Process Area Flow Schematic is provided to assist in your understanding of AMP's operation. This print is outdated, but pertinent changes are indicated as noted.

The gold plating bath includes potassium gold cyanide. Only the bottom portion of the metal strip is immersed in the plating bath. Air wipes are used after the gold cyanide plating operation to reduce dragout. The first rinse after gold plating is close looped using electrodialysis. Potassium gold cyanide is recovered from this rinse and added back into the gold plating bath. Air wipes are used after the closed loop electrodialysis rinse to reduce dragout. The second rinse after gold plating is close looped using ion exchange resin. The spent resin is shipped off-site for recovery of the gold. Air wipes are used after the closed loop ion exchange rinse to reduce dragout. The final rinse after gold plating is an open rinse using deionized water. The deionized water is

treated by the on-site wastewater treatment system. Air wipes are used after the deionized water rinse to reduce dragout. The strip is now twisted 180 degrees. The next plating operation and the operation of concern is tin/lead plating. Only the bottom portion of the metal strip is immersed in the plating bath. This portion of the strip was not immersed in the gold cyanide plating solution. A sample of plated strip is included. The tin/lead plating operation is conducted from a tin/lead fluoboric acid plating solution which does not contain cyanide. As part of the plating bath operation the solution is filtered using cartridge filters. These discarded cartridges are currently managed as a hazardous waste with the EPA hazardous waste number D008. It has been alleged that these filter cartridges should also be classified as EPA hazardous waste number F007.

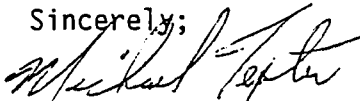
It should be noted, per 40 CFR Part 261.7 that if the spent potassium gold cyanide plating solution was placed in a drum and that drum was subsequently emptied, the drum would not be regulated as a hazardous waste if all wastes have been removed and no more less than 2.5 centimeters or 3% by weight residue remaining in the container. It should also be noted if this container had held an acutely hazardous waste and was tripled rinsed it would not be regulated as a hazardous waste.

Your determination if this waste should also be classified as EPA hazardous waste number F007 is requested. Your opinion is greatly appreciated.

In accordance with 40 CFR Section 2.203 (b), AMP is asserting a business confidentiality claim covering all information relating to manufacturing processes. These documents are stamped "CONFIDENTIAL".

If you have any questions or require additional information, please advise.

Sincerely;



Michael Texter
Manager of Environmental Compliance

MT/mt

cc: Doug Brennan 81-01
Sheila Briggs US EPA Region III
Ben Klingler 81-01 *BK*
Dale Kortze 81-01
Don Kutz 39-10
Carol Ritter 176-32
Ross Smith 151-01
R:\WP51\EPD\AUDITS\BLDG0151

P.O. Box 3608
Harrisburg, PA 17105-3608
Phone: 717-564-0100
TWX: 510-657-4110

Benson Klingler
Director, Environmental Programs
Mail Stop 081-001
Direct Dial: 717-558-5805
Fax: 717-558-5801

AMP

AMP Incorporated

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 18, 1991

F: Correspondence

Mr. Larry Bradley
WRC Processing Co.
Walnut Lane
R. D. #5, Box 5553
Pottsville, PA 17901

Re: EPA Land Disposal Restrictions Notification

Dear Mr. Bradley:

This is to notify you that AMP Incorporated is required by a Compliance Order issued by the United States Environmental Protection Agency on September 30, 1991, to provide a "land ban" notice under 40 CFR § 268.7 regarding a shipment of sludge on Manifest #PAB 5747125 (attached), dated 11/14/88.

If you have any questions, please feel free to contact me.

Sincerely,

B. Klingler

Benson Klingler
Director, Environmental Programs

DB:JB/jr

cc: Mike Texter (081-001)
Doug Brennan (081-001)
Sheila Briggs, US EPA - Region III (3HW62)
Ross Smith (151-001)
Bret Wescott (151-001)



ER-SWM-51-REV. 6/87

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

In case of an emergency or spill immediately call the National Response Center (800) 424-8802 and the PA DER (717) 787-4343

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. V-A-D-0-9-8-4-4-4-4-7-4		Manifest Document No. 0-0-0-3-1		2. Page 1 of 1		Information in the shaded areas is not required by Federal law but is required by State law.					
3. Generator's Name and Mailing Address AMP, Inc. 1175 North Main Street, Harrisonburg, VA 22801						A. State Manifest Document Number PAB 5747125							
4. Generator's Phone (703) 433-3200						B. State Gen. ID Same							
5. Transporter 1 Company Name BES Environmental Specialist, Inc.				6. US EPA ID Number P-A-D-0-0-9-2-3-2-7-4-5		C. State Trans. ID PA-AH							
7. Transporter 2 Company Name				8. US EPA ID Number		D. Transporter's Phone (717) 779-5315							
9. Designated Facility Name and Site Address WRC Processing Co. (Recycling Facility) Walnut Lane, RD #5, Box 5553 Pottsville, PA 117901						E. State Trans. ID PA-AH							
10. US EPA ID Number P-A-D-9-8-1-0-3-8-2-2-7						F. Transporter's Phone ()							
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) a. RZ Hazardous Waste Solid, N.O.S. (Copper & Nickel Hydroxide) ORM-R NA 9189 (P006)						12. Containers No. Type 1 B A		13. Total Quantity 2.107		14. Unit Wt/Vol P		15. Waste No. F-0-0-6	
J. Additional Descriptions for Materials Listed Above (Include physical state and hazard code) a. Haz. Code Physical State b. Haz. Code Physical State						K. Handling Codes for Wastes Listed Above a. T23/T59/T50 b. T18-Drying c. d.							
15. Special Handling Instructions and Additional Information Waste Water Treatment Sludge from Electroplating Avoid Spillage of Material to the ground - Specially designed Polypropylene bags. 11A-RZ LISTED RATHER THAN RQ. RZ													
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.													
Printed/Typed Name Forest Atwood, Jr.						Signature Forest Atwood Jr.				Month Day Year 11/1/88			
17. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Name Richard Lannely						Signature Richard Lannely				Month Day Year 11/1/88			
18. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name MARK MORAN						Signature Mark Moran				Month Day Year 11/1/88			
19. Discrepancy Indication Space Block C - STATE Trans IO - Omitted 0223 Block D TRANS. Phone updated 717-779-5315 Block 9 - Facility Zip code updated 17901 Block 18 - Same TRANSPORTER different drivers BL CONT. LINE 15													
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19. Printed/Typed Name Robert Lafferty						Signature Robert Lafferty				Month Day Year 11/1/88			

**Generator Land Disposal Restriction Notification for
Hazardous Wastes Subject to an Effective Prohibition Date**

Generator Name: AMP INCORPORATED EPA ID No. VAD098444474
 Address: 1175 N. MAIN STREET Contact (Print) BRET WESCOTT
HARRISONBURG, VA 22801
 Signature: Bret Wescott Date: 10-17-91

The hazardous wastes identified on the accompanying manifest number PAB5747125 and bearing the EPA hazardous waste codes listed below are restricted wastes which are prohibited from land disposal under the Land Disposal Restrictions, 40 CFR Part 268. In accordance with 40 CFR 268.7(a)(3), the EPA waste code, waste subcategory, treatability group, treatment standards, technology codes, and appropriate references, as applicable, are provided below:

1. Characteristic Wastes 0001 through 0017

Waste Code/Subcategory	Numerical Treatment Standard, Technology Code and/or Reference	
	<u>Underwater</u>	<u>Nonunderwater</u>
<input type="checkbox"/> 0001		
<input type="checkbox"/> Ignitable Liquid Wastewaters	<input type="checkbox"/> Ref 2 -- DEACT	NA
<input type="checkbox"/> Ignitable Liquids < 10% TOC	NA	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Ignitable Liquids > or = 10% TOC	NA	<input type="checkbox"/> Ref 2 -- FSUS; XORG; or INCIN
<input type="checkbox"/> Ignitable Compressed Gas	NA	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Ignitable Reactives	NA	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Oxidizers	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> 0002		
<input type="checkbox"/> Acid, pH < or = 2.0	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Alkaline, pH > or = 12.5	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Other (per §261.22(a)(2))	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> 0003		
<input type="checkbox"/> Reactive Sulfides	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Reactive Cyanides	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 3
<input type="checkbox"/> Explosives	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Water Reactives	NA	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> Other (per §261.23(a)(1))	<input type="checkbox"/> Ref 2 -- DEACT	<input type="checkbox"/> Ref 2 -- DEACT
<input type="checkbox"/> 0004 - Arsenic	<input type="checkbox"/> Ref 3	USE FORM LDR2 INSTEAD
<input type="checkbox"/> 0005 - Barium	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> 0006		
<input type="checkbox"/> Cadmium	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> Cadmium Containing Batteries	NA	<input type="checkbox"/> Ref 2 -- RTRM
<input type="checkbox"/> 0007 - Chromium	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> 0008		
<input type="checkbox"/> Lead	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> Lead Acid Batteries	NA	USE FORM LDR2 INSTEAD
<input type="checkbox"/> 0009 - Mercury	<input type="checkbox"/> Ref 3	USE FORM LDR2 INSTEAD
<input type="checkbox"/> 0010 - Selenium	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> 0011 - Silver	<input type="checkbox"/> Ref 3	<input type="checkbox"/> Ref 1
<input type="checkbox"/> 0012 - Endrin	<input type="checkbox"/> Ref 2 -- BIOCG; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0013 - Lindane	<input type="checkbox"/> Ref 2 -- CARBN; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0014 - Methoxychlor	<input type="checkbox"/> Ref 2 -- METOX; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0015 - Toxaphene	<input type="checkbox"/> Ref 2 -- BIOCG; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0016 - 2,4-D	<input type="checkbox"/> Ref 2 -- CHOXD; BIOCG; or INCIN	<input type="checkbox"/> Ref 3
<input type="checkbox"/> 0017 - 2,4,5-TP (Silvex)	<input type="checkbox"/> Ref 2 -- CHOXD; or INCIN	<input type="checkbox"/> Ref 3

References

Ref 1: See numerical treatment standard(s) in 40 CFR 268.61, Table CCM - Constituent Concentrations in Waste Extract
 Ref 2: See technology-based standard(s) in 40 CFR 268.42, Table 2 - Technology-Based Standard By RCRA Waste Codes
 Ref 3: See numerical treatment standard(s), 40 CFR 268.43, Table CCW - Constituent Concentrations in Waste

☐ CHECK HERE IF SPENT SOLVENT, CALIFORNIA LIST, OR F-, K-, P-, OR U-CODE WASTE. IF CHECKED, COMPLETE PAGE 2.

II. Spent Solvent Wastes F001 through F005

Spent Solvent Waste Code(s) -- Check all which apply: ☐ F001 ☐ F002 ☐ F003 ☐ F004 ☐ F005

Constituent	Concentration (mg/l unless otherwise specified)	
	Wastewater	Nonwastewater
<input type="checkbox"/> Acetone	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.50
<input type="checkbox"/> Benzene	<input type="checkbox"/> 0.070	<input type="checkbox"/> 3.7 mg/kg
<input type="checkbox"/> n-Butyl alcohol	<input type="checkbox"/> 5.0	<input type="checkbox"/> 5.0
<input type="checkbox"/> Carbon disulfide	<input type="checkbox"/> 1.05	<input type="checkbox"/> 4.81
<input type="checkbox"/> Carbon tetrachloride	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.96
<input type="checkbox"/> Chlorobenzene	<input type="checkbox"/> 0.15	<input type="checkbox"/> 0.05
<input type="checkbox"/> Cresols (and cresylic acid)	<input type="checkbox"/> 2.82	<input type="checkbox"/> 0.75
<input type="checkbox"/> Cyclohexanone	<input type="checkbox"/> 0.125	<input type="checkbox"/> 0.75
<input type="checkbox"/> 1,2-Dichlorobenzene	<input type="checkbox"/> 0.65	<input type="checkbox"/> 0.125
<input type="checkbox"/> 2-Ethoxyethanol (F005)	<input type="checkbox"/> Ref 2 -- BIOG; or INCIN	<input type="checkbox"/> Ref 2 -- INCIN
<input type="checkbox"/> Ethyl acetate	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.75
<input type="checkbox"/> Ethylbenzene	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.053
<input type="checkbox"/> Ethyl ether	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.75
<input type="checkbox"/> Isobutanol	<input type="checkbox"/> 5.0	<input type="checkbox"/> 5.0
<input type="checkbox"/> Methanol	<input type="checkbox"/> 0.25	<input type="checkbox"/> 0.75
<input type="checkbox"/> Methylene chloride	<input type="checkbox"/> 0.20	<input type="checkbox"/> 0.96
<input type="checkbox"/> Methylene chloride -- Pharmaceutical Industry Wastewater Only	<input type="checkbox"/> 0.44	NA
<input type="checkbox"/> Methyl ethyl ketone	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.75
<input type="checkbox"/> Methyl isobutyl ketone	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.33
<input type="checkbox"/> Nitrobenzene	<input type="checkbox"/> 0.66	<input type="checkbox"/> 0.125
<input type="checkbox"/> 2-Nitropropane (F005)	<input type="checkbox"/> Ref 2 -- (METOX or CHOXD) to CARBN; or INCIN	<input type="checkbox"/> Ref 2 -- INCIN
<input type="checkbox"/> Pyridine	<input type="checkbox"/> 1.12	<input type="checkbox"/> 0.33
<input type="checkbox"/> Tetrachloroethylene	<input type="checkbox"/> 0.079	<input type="checkbox"/> 0.05
<input type="checkbox"/> Toluene	<input type="checkbox"/> 1.12	<input type="checkbox"/> 0.33
<input type="checkbox"/> 1,1,1-Trichloroethane	<input type="checkbox"/> 1.05	<input type="checkbox"/> 0.61
<input type="checkbox"/> 1,1,2-Trichloroethane	<input type="checkbox"/> 0.050	<input type="checkbox"/> 7.6 mg/kg
<input type="checkbox"/> 1,1,2-Trichloro-1,2,2-Tetrafluoroethane	<input type="checkbox"/> 1.05	<input type="checkbox"/> 0.96
<input type="checkbox"/> Trichloroethylene	<input type="checkbox"/> 0.062	<input type="checkbox"/> 0.091
<input type="checkbox"/> Trichlorofluoromethane	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.96
<input type="checkbox"/> Xylene	<input type="checkbox"/> 0.05	<input type="checkbox"/> 0.15

III. California List Wastes -- Hazardous waste containing one or more of the following constituents:

- | | |
|---|--|
| <input type="checkbox"/> Nickel > or = 134 mg/l | <input type="checkbox"/> Thallium > or = 130 mg/l |
| <input type="checkbox"/> Liquids with PCB's > or = 50 ppm | <input type="checkbox"/> Waste containing HOC's > or = 1,000 mg/kg |

IV. Other Listed Hazardous Wastes (F006-F012, F019-F028, K-, U-, and P-codes)

EPA Hazardous Waste Code	Wastewater or Nonwastewater	5-letter Technology Code (if applicable -- see Ref 2)	Reference(s) (Ref 1, Ref 2, and/or Ref 3)
F006	NON WASTEWATER	NA	*SEE BELOW

CHECK HERE IF ADDITIONAL LISTED WASTE CODES ARE PRESENT. IF CHECKED, USE LDR1 CONTINUATION SHEET.

References

- Ref 1: See numerical treatment standard(s) in 40 CFR 268.41, Table CCM - Constituent Concentrations in Waste Extract
 Ref 2: See technology-based standard(s) in 40 CFR 268.42, Table 2 - Technology-based Standard by RCRA Waste Codes
 Ref 3: See numerical treatment standard(s), 40 CFR 268.43, Table CCM - Constituent Concentrations in Waste

* REFERENCE REF 1 FOR METALS
 REFERENCE REF 3 FOR CYANIDE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building

Philadelphia, Pennsylvania 19107

CERTIFIED MAIL

Return Receipt Requested

AUG 16 1991

Mr. John Rehm
Plant Manager
AMP, Inc.
1175 N. Main Street
Harrisonburg, Virginia 22801

Re: AMP, Inc.
VAD 098 444 474

Dear Mr. Rehm:

Pursuant to the enforcement authority granted to the U.S. Environmental Protection Agency ("EPA") under Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. Section 6927(a), which provides in relevant part that "...any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous waste shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, ...furnish information relating to such wastes..." (emphasis added), EPA hereby requests that you furnish to EPA within fifteen (15) calendar days of receipt of this letter, the information requested below.

1. Furnish to EPA a copy of all hazardous waste manifests for off-site shipments of hazardous waste from the AMP, Inc. facility located at 1175 N. Main Street, Harrisonburg, Virginia ("AMP" or "the Facility") since November 8, 1986.
2. Did AMP, Inc. or anyone designated by AMP, Inc. conduct waste analyses on each waste stream generated by the Facility as required under 40 C.F.R. Section 268.7(a)?
3. Furnish to EPA copies of all waste analyses conducted on each of the Facility's waste streams.
4. Did AMP, Inc. or anyone designated by AMP, Inc. use its knowledge of each of the Facility's waste streams to determine if the wastes are restricted from land disposal pursuant to 40 C.F.R. Section 268.7(a)? If so, did AMP, Inc. generate any documentation to support such determination?

5. Furnish to EPA copies of all supporting data used to determine, solely on knowledge of the waste, whether any of the Facility's waste streams are restricted from land disposal (See 40 C.F.R. Section 268.7(a)(5)).

6. Did AMP, Inc. or anyone else furnish a written notification and/or certification (the terms of which are described in 40 C.F.R. Section 268.7(a)(1) and (2)) with each shipment of land disposal restricted waste from the Facility when such shipment was shipped to the treatment, storage, or disposal facility receiving the waste?

7. Furnish to EPA copies of all such written notifications and/or certifications that were furnished to the treatment, storage or disposal facility with each shipment of the Facility's land disposal restricted wastes.

8. Furnish to EPA a copy of a bill or receipt in your possession which documents the cost per unit volume which the Facility incurred each year after 1986 to dispose or treat each hazardous waste generated at the Facility and shipped off-site after November 8, 1986.

Failure to provide the information requested or to adequately explain the basis for such failure, or making any false material statement or representation constitutes a violation of Section 3007(a) of RCRA and may result in enforcement action and the imposition of civil penalties of up to \$25,000 per day, and/or criminal fines of up to \$50,000 per day and/or up to two years imprisonment, for each day of violation. (See 42 U.S.C. Sections 6928(c), (d), and (g)).

You are entitled to assert a claim of business confidentiality, covering any part of the information, in a manner described in 40 C.F.R. Section 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim is asserted and substantiated at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

This collection of information requested is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. Sections 3501-3520.

Please send the requested information to:

U.S. Environmental Protection Agency
Region III
841 Chestnut Building
Philadelphia, PA 19107
Attn: Sheila Briggs (3HW62)

If you have any questions concerning this matter, please
contact Ms. Sheila Briggs at (215) 597-8338.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. E. Greaves".

Robert E. Greaves, Chief
RCRA Enforcement/UST Branch

PENALTY COMPUTATION WORKSHEET

COUNT I

Company name: AMP
Address: Harrisonburg, Virginia

Requirement violated:

Respondent violated 40 C.F.R. Section 268.70
its waste or test an extract developed using
described in Appendix I of 40 C.F.R. Part 268
knowledge of the waste to determine if the waste
from land disposal under 40 C.F.R. Part 268.

F:
Penalty
Calc.

st

PENALTY AMOUNT FOR COMPLAINT

1. Gravity based penalty from matrix.....\$22,500
 - a. Potential for harm.....major
 - b. Extent of deviation.....major
2. Amount from the appropriate multiday matrix cell.....NA
3. Multiply line 2 by number of days of violation minus
1 [or other number, as appropriate (provide
narrative explanation)].....NA
4. Add line 1 and line 3.....\$22,500
5. Percent increase/decrease for good faith.....NA
6. Percent increase for willfulness/negligence.....NA
7. Percent increase for history of noncompliance.....NA
- 8.* Total lines 5 through 7.....NA
9. Multiply line 4 by line 8.....NA
10. Calculate economic benefit.....NA
11. Add lines 4, 9 and 10 for penalty amount to be inserted
in the Complaint.....\$22,500

* Additional downward adjustments, where substantiated by
reliable information, may be accounted for here.

PENALTY COMPUTATION WORKSHEET

COUNT II

Company name: AMP
Address: Harrisonburg, West Virginia
Requirement violated:

Respondent violated 40 C.F.R. Section 268.7(a)(1) by failing to notify each treatment and/or storage facility in writing of the appropriate treatment standards and any applicable prohibition levels for each LDR hazardous waste shipped off-site.

PENALTY AMOUNT FOR COMPLAINT

1. Gravity based penalty from matrix.....\$6,500
 - a. Potential for harm.....moderate
 - b. Extent of deviation.....moderate
2. Amount from the appropriate multiday matrix cell.....NA
3. Multiply line 2 by number of days of violation minus
1 [or other number, as appropriate (provide
narrative explanation)].....NA
4. Add line 1 and line 3.....\$6,500
5. Percent increase/decrease for good faith.....NA
6. Percent increase for willfulness/negligence.....NA
7. Percent increase for history of noncompliance.....NA
- 8.* Total lines 5 through 7.....NA
9. Multiply line 4 by line 8.....NA
10. Calculate economic benefit.....NA
11. Add lines 4, 9 and 10 for penalty amount to be inserted
in the Complaint.....\$19,500

Note: This violation occurred three distinct times. Therefore, a multiple day penalty is being assessed at \$6,500 per occurrence.

* Additional downward adjustments, where substantiated by reliable information, may be accounted for here.

PENALTY COMPUTATION WORKSHEET

COUNT III

Company name: AMP
Address: Harrisonburg, Virginia
Requirement violated:

Respondent violated 40 C.F.R. Section 268.7(a)(1) and/or (2) by failing to send the required written notification and/or certification to the receiving treatment, storage or disposal facility for the off-site shipment of land disposal restricted wastes.

PENALTY AMOUNT FOR COMPLAINT

1. Gravity based penalty from matrix.....\$9,500
 - a. Potential for harm.....moderate
 - b. Extent of deviation.....major
2. Amount from the appropriate multiday matrix cell.....NA
3. Multiply line 2 by number of days of violation minus
1 [or other number, as appropriate (provide
narrative explanation)].....NA
4. Add line 1 and line 3.....\$9,500
5. Percent increase/decrease for good faith.....NA
6. Percent increase for willfulness/negligence.....NA
7. Percent increase for history of noncompliance.....NA
- 8.* Total lines 5 through 7.....NA
9. Multiply line 4 by line 8.....NA
10. Calculate economic benefit.....NA
11. Add lines 4, 9 and 10 for penalty amount to be inserted
in the Complaint.....\$9,500

* Additional downward adjustments, where substantiated by reliable information, may be accounted for here.

PENALTY COMPUTATION WORKSHEET

COUNT IV

Company name: AMP
Address: Harrisonburg, Virginia
Requirement violated:

Respondent violated 40 C.F.R. Section 268.7(a)(6) by failing to retain on-site copies of all written notifications and/or certifications required to be produced pursuant to 40 C.F.R. Section 268.7(a)(1) and/or (2) for at least five years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal.

PENALTY AMOUNT FOR COMPLAINT

1. Gravity based penalty from matrix.....\$2,000
 - a. Potential for harm.....minor
 - b. Extent of deviation.....major
2. Amount from the appropriate multiday matrix cell.....NA
3. Multiply line 2 by number of days of violation minus 1 [or other number, as appropriate (provide narrative explanation)].....NA
4. Add line 1 and line 3.....\$2,000
5. Percent increase/decrease for good faith.....NA
6. Percent increase for willfulness/negligence.....NA
7. Percent increase for history of noncompliance.....NA
- 8.* Total lines 5 through 7.....NA
9. Multiply line 4 by line 8.....NA
10. Calculate economic benefit.....NA
11. Add lines 4, 9 and 10 for penalty amount to be inserted in the Complaint.....\$2,000

* Additional downward adjustments, where substantiated by reliable information, may be accounted for here.

PENALTY COMPUTATION WORKSHEET

COUNT V

Company name: AMP
Address: Harrisonburg, Virginia
Requirement violated:

(a)(1)
Respondent violated 40 C.F.R. Section 268.50 by storing hazardous wastes restricted from land disposal at the Facility without complying with the requirements in 40 C.F.R. Section 262.34.

PENALTY AMOUNT FOR COMPLAINT

1. Gravity based penalty from matrix.....\$2,250
 - a. Potential for harm.....minor
 - b. Extent of deviation.....major
2. Amount from the appropriate multiday matrix cell.....\$350
3. Multiply line 2 by number of days of violation minus
1 [or other number, as appropriate (provide
narrative explanation)].....14 days.....\$4,900
4. Add line 1 and line 3.....\$7,150
5. Percent increase/decrease for good faith.....NA
6. Percent increase for willfulness/negligence.....NA
7. Percent increase for history of noncompliance.....NA
- 8.* Total lines 5 through 7.....NA
9. Multiply line 4 by line 8.....NA
10. Calculate economic benefit.....NA
11. Add lines 4, 9 and 10 for penalty amount to be inserted
in the Complaint.....\$7,150

* Additional downward adjustments, where substantiated by reliable information, may be accounted for here.